

Shelby County Board of Education Policy Manual

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Shelby County Board of Education

0001

Descriptor Term:

**SCHOOL BOARD LEGAL STATUS
AND AUTHORITY**

Descriptor Code:

Board

Issued Date:

08/26/10

Rescinds:

Issued:

The Constitution of the State of Tennessee charges the State with the responsibility of maintaining a system of "free public schools" for all children in Tennessee. The state legislature fulfills this responsibility by enacting laws to regulate the schools, providing a portion of the funds needed for operating the schools, and delegating the immediate control of the schools to the boards of education.

Notwithstanding any other law to the contrary, there shall be a board of education elected by the people.

The School Board, therefore, is an agency of the State with powers delegated to it by the legislature by clear inference. It is responsible for carrying out certain mandatory laws and shall consider and accept or reject the provisions of the permissive laws. In all cases where the state laws do not provide or prohibit, the Board shall consider itself the agent establishing and appraising educational activities of the system and responsive to the desires of the majority of the citizens of the county.

Because all powers of the Board of Education lie in its action as a group, individual Board members exercise their authority over school affairs only as they vote to take action at a legal meeting of the Board.

In other instances, an individual Board member, including the chairman, shall have power only when the Board, by vote, has delegated authority to him or her. It shall be the policy of the Board to make its members, the educational staff and the public aware that only the Board as an official body has authority to take official action. The Superintendent is required to report to the Board any instances where an individual Board member demands of or exerts undue influence on the Superintendent or any employee of the system to take a particular action.

T.C.A. § 49-2-201

Shelby County Board of Education

0002

Descriptor Term:

**BOARD MEMBERS:
ELECTION AND LEGAL STATUS**

Descriptor Code:

Board

Issued Date:

08/26/10

Rescinds:

Issued:

Notwithstanding any other law to the contrary, there shall be a board of education elected by the people.

Number: The Shelby County Board of Education shall consist of seven (7) members.

Qualifications: Members of the board shall be residents and voters of the district in which they are elected and shall be citizens of recognized integrity, intelligence and ability to administer the duties of the office.

Only persons who are residents of the area served by the Shelby County school system are eligible to serve on the Shelby County Board of Education.

It is desirable that members of the Board have a genuine interest in and devotion to public education, a willingness to give time and effort to the work, a capacity for understanding people, and the ability to work cooperatively with others.

No person seeking a position on a board shall campaign as the nominee or representative of any political party.

No member of the county legislative body nor any other county official shall be eligible for election to the Board. If a member moves from the county, the position becomes vacant.

No person shall qualify as a candidate for a position on the Board until the person has filed with the County Election Commission proof that the candidate graduated from high school or received a GED, evidenced by a diploma or other documentation satisfactory to the Commission.

Terms of Office: The members of the board shall be elected for a term of four (4) years, and may succeed themselves.

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3 **Method of Election:** A seven (7) single member district plan as adopted by the
4 Shelby County Board of Commissioners shall be utilized for the election of Board
5 members by the voters residing solely within the Shelby County school district
6 with each voting district to be composed of the areas encompassed by the wards
7 and precincts of Shelby County as designated. The member of odd-numbered
8 districts shall be elected for terms of four years beginning September 1, 1998, and
9 the members from even-numbered districts shall be elected for terms of two
10 years, beginning September 1, 1998, and thereafter for terms of four years.
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13 **Vacancies:** When a vacancy occurs, the unexpired term shall be filled at the next
14 regular meeting of the Shelby County Board of Commissioners or at a special
15 meeting of the Shelby County Board of Commissioners. Any person so
16 appointed must meet qualifications for a board member and shall serve until a
17 successor is elected at the next election occurring after the vacancy.
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19 **T.C.A. § 49-2-201**

20 **T.C.A. § 49-2-202**

21 **CONSTITUTION OF THE STATE OF TENNESSEE**
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Shelby County Board of Education

0003

Descriptor Term:

BOARD ORGANIZATION

Descriptor Code:

Board

Issued Date:

08/26/10

Rescinds:

Issued:

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Qualifications: Members of the board shall be residents and voters of the district in which they are elected and shall be citizens of recognized integrity, intelligence and ability to administer the duties of the office.

Only persons who are residents of the area served by the Shelby County school system are eligible to serve on the Shelby County Board of Education.

It is desirable that members of the Board have a genuine interest in and devotion to public education, a willingness to give time and effort to the work, a capacity for understanding people, and the ability to work cooperatively with others.

No person seeking a position on a board shall campaign as the nominee or representative of any political party.

No member of the county legislative body nor any other county official shall be eligible for election to the Board. If a member moves from the county, the position becomes vacant.

No person shall qualify as a candidate for a position on the Board until the person has filed with the County Election Commission proof that the candidate graduated from high school or received a GED, evidenced by a diploma or other documentation satisfactory to the Commission.

Terms of Office: The members of the board shall be elected for a term of four (4) years, and may succeed themselves.

Shelby County Board of Education

0004

Descriptor Term:

BOARD OFFICERS AND DUTIES

Descriptor Code:

Board

Issued Date:

08/26/10

Rescinds:

Issued:

The Board shall elect, at its first regular meeting following the election of new members and annually thereafter, one of its members to serve as chairman and one to serve as vice-chairman. The term of the newly elected Board chairman shall commence at the conclusion of the regular meeting in September. The Superintendent of schools serves as secretary to the board at all meetings.

Duties of the Chairman:

1. Preside at all meetings of the board;
2. Appoint committees authorized by the board;
3. Serve as chair of the executive committee; and
4. Countersign all warrants authorized by the board of education and issued by the superintendent for all expenditures of the school system.

Duties of the Vice-Chairman

In the absence of the chairman, the vice-chairman presides at the meeting and shall have all the powers of the chairman other than signing warrants and payroll checks.

If the chairman and vice-chairman are absent at a meeting at which a quorum is present, the ranking member present in terms of continuous service on the board shall preside.

Duties of the Secretary:

1. Provide adequate notice of all board meetings;
2. Prepare the agenda; and
3. Keep or cause to be kept, complete and accurate minutes of all meetings of the Board.

In the event of death or incapacity of the chairman, an election will be held to select a new chairman. The vice-chairman shall assume all duties during the interim.

T.C.A. § 49-2-202

T.C.A. § 49-2-205

Shelby County Board of Education

0005

Descriptor Term:

**METHOD AND ELECTION OF
BOARD OFFICERS**

Descriptor Code:

Board

Issued Date:

08/26/10

Rescinds:

Issued:

The Board shall annually elect one of its members as Chair.

The method of electing the officers of the Board shall be as follows:

1. The chairman of the Board shall preside at the meeting at which time officers are elected;
2. The chairman shall vote as any other member in the election of a chairman for the forthcoming year;
3. In the event of a permanent vacancy in the office of chairman or vice-chairman, new officers shall be elected as soon as practicable;
4. Officers of the Board are elected by roll call vote of the Board.

T.C.A. § 49-2-202

Shelby County Board of Education

0006

Descriptor Term:

SCHOOL BOARD MEETINGS

Descriptor Code:

Board

Issued Date:

08/26/10

Rescinds:

Issued:

The Board of Education shall transact all business at an official meeting of the Board. The chairman shall start all meetings promptly at the appointed hour.

The Board shall hold various types of meetings, including:

1. Business Meeting - an official meeting held at least quarterly.
2. Special Meeting - an official meeting called as necessary to transact the business of the Board. Such meetings shall be called by the chairman whenever, in his/her judgment, the interests of the schools require it, or when requested to do so by a majority of the Board. Only business related to the call of the meeting, and details related to agenda items shall be discussed or transacted by the Board at a special meeting.
3. Work Session - the primary objectives of a work session are: 1) to discuss background information regarding items that may be placed on the following Business Meeting Agenda; and 2) to receive information about SCS educational programs, legislation, and other issues related to the Shelby County Schools system. No official action can be taken at a Work Session. The Work Session is usually held one week prior to a Business Meeting.

Business meetings of the Board shall be held on the last Thursday of each month. In instances when the date of the business meeting falls on a legal holiday or during a holiday season, the meeting shall be rescheduled by the chairman.

Unless decided by prior agreement at an open meeting, the place of the business meeting will be in the Shelby County Board of Education Administration Building and the time of the meeting will be 1:00 p.m.

Every meeting of the Board, except with the attorney to discuss pending or threatened litigation, will be open to the public.

T.C.A. § 49-2-202

T.C.A. § 8-44-101, *et seq.*

Shelby County Board of Education

0007

Descriptor Term:

**PUBLIC PARTICIPATION AT
BOARD MEETINGS**

Descriptor Code:

Board

Rescinds:

Issued Date:

08/26/10

Issued:

Every person who wishes to speak at a board meeting must be recognized by the chairman, and the chairman will determine whether it is in the public interest to allow the request. Should the request to speak be granted, the chairman may limit the time for the presentation, and if there are numerous requests to address the board on the same subject, the chairman may request representatives to speak on each side of the issue. The board has the right to overrule the chairman by a majority vote of the Board.

All persons seeking the opportunity to speak at a board meeting shall address the chairman and may direct questions or comments to board members or other officers of the school system only upon the approval of the chairman. Members of the board and superintendent may have the privilege of asking questions of any person who addresses the board.

Speakers will be introduced by the Chairman of the Board at the appropriated time during the agenda. Speakers may offer objective comments of school operations and programs that concern them. The Board will not permit in public session any expression of personal complaints about school personnel nor against any person connected with the school system. Speakers will not be permitted to participate in gossip, make defamatory comments, or use abusive or vulgar language. Persons with personal complaints of personnel will utilize the proper channels for administrative resolution of concerns. Since a record is kept of all meetings of the board, every person who wishes to address the board is requested to state name, address, and subject of presentation even though a written request for recognition has been submitted.

Note: Tennessee law makes no specific provisions for the participation of the public in the meeting of the local boards of education; however, the Tennessee Sunshine Law does require that all meetings of public boards of education be open to the public and press.

T.C.A. § 8-44-102

Shelby County Board of Education

0008

Descriptor Term:

NOTIFICATION OF BOARD MEETINGS

Descriptor Code:

Board

Issued Date:

08/26/10

Rescinds:

Issued:

Adequate notice of all official meetings of the Board shall be given.

Except in rare emergencies, the notification for all special and/or rescheduled meetings shall be sent to the media in time for the public to be notified at least 48 hours in advance. All Board members are to be notified in writing, as soon as possible, of special meetings. If the special meeting is less than seven days hence, additional notification by telephone shall be made.

Dates of regular meetings of the Board shall be provided in annual announcements made available in printed form to the news media, the public, and all Board members. Board members shall be notified, in writing, ten days prior to all regular meetings.

The chairman or the chairman's designee shall give reasonable notice of the time and location of all meetings to the president of the Shelby County Education Association or the president's designee.

T.C.A. § 8-44-103

T.C.A. § 49-2-202

Shelby County Board of Education

0009

Descriptor Term:

**AGENDA PREPARATION AND
DISSEMINATION**

Descriptor Code:

Board

Issued Date:

08/26/10

Rescinds:

Issued:

The superintendent shall prepare all agendas for meetings of the Board. In doing so, the superintendent shall consult with the Board chairman and appropriate members of the superintendent's administrative staff.

Items of business may be suggested by any Board member, staff member, student, or citizen of the system. The inclusion of items suggested by staff members, students, or citizens shall be at the discretion of the superintendent. The business meeting agenda, however, shall always allow suitable time for the remarks of the public who wish to speak briefly before the Board.

The Board shall follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present. Items of business not on the agenda may be discussed and acted upon if a majority of the Board agrees to consider them.

The agenda, together with supporting materials, shall be distributed to Board members sufficiently prior to the Board meeting, if at all possible, to permit them to give items of business careful consideration. The agenda and appropriate agenda materials shall also be made available to the news media; to representatives of community, staff and student organizations; and to others upon request.

Shelby County Board of Education

0010

Descriptor Term:

**SUSPENSION OF
RULES OF ORDER**

Descriptor Code:

Board

Issued Date:

08/26/10

Rescinds:

Issued:

Amendments, alterations, corrections, or repeal of the rules may be made, or their operation may be suspended for the meeting, at any regular or special meeting of this Board, by a vote of a majority of all members of the Board.

Shelby County Board of Education

0011

Descriptor Term:

MINUTES

Descriptor Code:

Board

Issued Date:

08/26/10

Rescinds:

Issued:

The secretary shall keep, or cause to be kept by a competent clerk, complete records of the action of Board meetings. The minutes shall be a complete record of the meeting including resolutions, and motions in full. Papers not a part of a formal motion may be omitted if they are referred to and identified by some method.

Copies of the minutes of each meeting of the Board shall be provided to the members of the Board before the meeting at which they are to be approved. Corrections in the minutes may be made at the meeting at which they are to be approved. Permanent minutes shall be signed by the secretary and chairman of the Board upon approval. The minutes will become permanent records of the Board and will be in the custody of the superintendent (secretary), who will make them available to interested citizens and the news media upon request and will mail a copy to the president of the Shelby County Education Association no more than thirty (30) days after the Board meeting or at the time they are mailed to or otherwise provided to members of the Board. Any subsequent corrections, modifications, or changes in the minutes shall be distributed in the same manner.

T.C.A. § 49-2-301

T.C.A. § 49-2-203

Shelby County Board of Education

0012

Descriptor Term:

BOARD POLICY DEVELOPMENT

Descriptor Code:

Board

Rescinds:

Issued Date:

08/26/10

Issued:

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3 It is the intent of the Shelby County Board to develop policies and put them in writing so
4 that they may serve as guidelines and goals for the successful and efficient functioning of
5 the Shelby County public schools.

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7 The Board considers policy development its chief function, along with providing the
8 wherewithal such as personnel, buildings, materials, and equipment for the successful
9 administration, application, and execution of its policies.

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11 The Board accepts the definition of policy set forth by the National School Boards
12 Association:

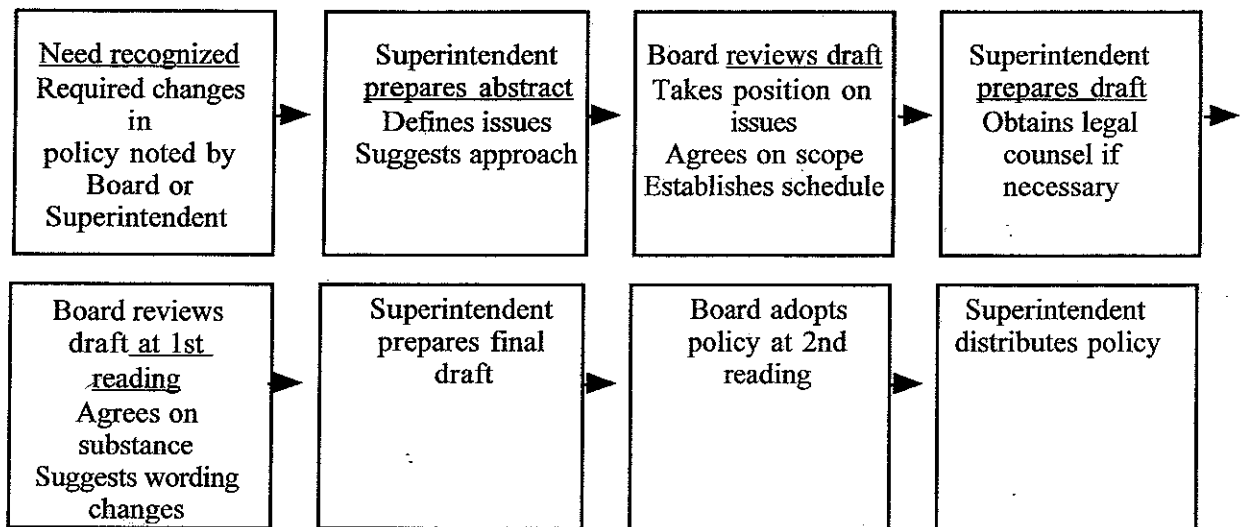
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14 Policies are principles adopted by the School Board to chart a course of action. They tell
15 what is wanted; they may include why and how much. Policies should be broad enough to
16 indicate a line of action to be followed by the administration in meeting a number of
17 problems; narrow enough to give clear guidance. Policies are guides for action by the
18 administration, who then sets the rules and regulations to provide specific directions to
19 school district personnel.

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22 It is the Board's intention that its policies serve as sources of information and guidance for
23 all people who are interested in, or connected with, the Shelby County public schools.

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25 The policies of the Shelby County Board are framed, and are meant to be interpreted, in
26 terms of Tennessee laws, rules and regulations of the State Board of Education, and all
27 other regulatory agencies within our county, state, and federal levels of government. The
28 policies are also framed, and are meant to be interpreted, in terms of those educational
29 objectives, procedures, and practices which are broadly accepted by leaders and
30 authorities in the public education field.

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33 Changes in needs, conditions, purposes, and objectives will require revisions, deletions,
34 and additions to the policies of present and future boards. The Board will welcome
35 suggestions for ongoing policy development.

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37 At least annually, the Board will review its policy manual for the purpose of passing,
38 revising or deleting policies mandated by changing conditions.



T.C.A. § 49-2-207

Shelby County Board of Education

0013

Descriptor Term:

POLICY ADOPTION

Descriptor Code:

Board

Issued Date:

08/26/10

Rescinds:

Issued:

Except for policy actions to be taken on emergency measures, the adoption of Board policies shall follow this sequence which will take place at least at two regular or special meetings of the Board:

1. Announcement and distribution of proposed new or revised policies as an item of information.
2. Opportunity offered to concerned groups or individual to react to policy proposals.
3. Discussion and final action by the Board on policy proposals.

The final vote to adopt or not to adopt shall follow by at least four weeks from the meeting at which policy proposals are first placed on the agenda.

1. Prior to enactment, all policy proposals shall be titled and coded as appropriate to subject and in conformance with the codification system used in the Board policy manual.
2. Insofar as possible, each policy statement shall be limited to one subject.
3. Policies and amendments adopted by the Board shall be attached to and made a part of the minutes of the meeting at which they are adopted and shall also be included in the policy manual of the district.
4. Policies and amendments to policies shall be effective immediately upon adoption unless a specific effective date is provided in the adopted resolution.

Emergency Procedure

On matters of unusual urgency, the Board may waive the four-week limitation and take immediate action to adopt new or revise existing policies. When such immediate action is necessary, the superintendent shall inform concerned groups or individuals about the reasons for this necessity.

Shelby County Board of Education

0014

Descriptor Term:

POLICY DISSEMINATION

Descriptor Code:

Board

Issued Date:

08/26/10

Rescinds:

Issued:

The Superintendent is directed to establish and maintain an orderly plan for preserving and making accessible to employees of the school system, to members of the Board, and to persons in the communities of the county insofar as conveniently possible, the policies adopted by the Board of Education.

A copy of the updated Board of Education operating Policy Manual shall be distributed to each principal of each local school to be kept on file and available in each school library during and immediately after normal school hours.

A copy of the updated Policy Manual shall be filed with the Commissioner of Education.

Added or amended policy and a notice of each deleted policy shall be kept on file and available in each school library, and a copy shall be filed with the Commissioner.

Distributed Policy Manuals shall remain the property of the Shelby County Board of Education and shall be considered as on loan to anyone or any organization in whose possession they might be at any time. They are subject to recall at any time deemed necessary by the administrative head of the school system.

T.C.A. § 49-2-207

Shelby County Board of Education

0015

Descriptor Term:

SUSPENSION OF POLICIES

Descriptor Code:

Board

Issued Date:

08/26/10

Rescinds:

Issued:

The operation of any section or sections of Board policies not established by law or contract may be temporarily suspended by a majority vote of Board members.

Shelby County Board of Education

0016

Descriptor Term:

**ORIENTATION FOR
SCHOOL BOARD CANDIDATE**

Descriptor Code:

Board

Issued Date:

08/26/10

Rescinds:

Issued:

Being elected to the Board of Education provides the opportunity for citizens to serve their community and support public education of our children. Candidates for election to the Shelby County Schools Board shall meet requirements as stated in T.C.A. §49-2-201; §49-2-202; §49-2-111 as well as other state criteria. Each candidate is strongly encouraged to display his/her commitment to serve as a Board member by attending orientation programs provided during the election year. The Superintendent and staff of Shelby County Schools will hold these orientation sessions between the date of candidate filing and prior to the last date for official withdrawal. The purpose of each session will be to acquaint the candidates with the duties and responsibilities of Tennessee school board members. Additional orientation will be held immediately following election to assist newly elected Board members as they prepare to assume these important duties.

Shelby County Board of Education

0017

Descriptor Term:

**BOARD CONFERENCE /
TRAVEL POLICY**

Descriptor Code:

Board

Issued Date:

08/26/10

Rescinds:

Issued:

1. Conference registrations and Board member travel may not be undertaken unless it is authorized in advance by action of the Board of Education in a regular business meeting or unless the Board member is assuming responsibility for all registration and travel expenses.
2. Conferences and Travel needing approval shall include, but not be limited to, TSBA Academies, State, Regional, and National Conventions, and TSBA workshops and events. Prior approval will not be required for the annual TSBA Conference in Nashville, TN, TSBA Fall District Meeting, one annually required TSBA School Board Training Academy, and travel deemed necessary by the Superintendent, when prior Board approval would be impractical.
3. Mileage shall be computed based on the total mileage driven to and from the conference site only and will be reimbursed at the State approved rate.
4. Transportation for approved travel should be by automobile or air if the cost of air travel is comparable to travel by automobile. Air fare must not exceed the regular coach class rate.
5. Lodging will be reimbursed at the prevailing conference rate charged by the hotel/motel and verified by receipt.
6. Meals - A meal allowance of \$35.00 per day will be provided for Out-of-County travel. For fractional days in travel status, the \$35.00 limit will be prorated as follows: \$5.00 for breakfast, \$10.00 for lunch and \$20.00 for dinner.
7. Registration fees for approved conferences, conventions, seminars, and meetings will be reimbursed.
8. Taxi fares, tolls and self parking fees will be reimbursed provided the expense is necessary to reach approved destination and verified by receipt.
9. Reimbursement will be made when Travel Expenses Report Form has been approved by the Superintendent.

Shelby County Board of Education

0018

Descriptor Term:

**BOARD - STAFF
COMMUNICATIONS**

Descriptor Code:

Board

Issued Date:

08/26/10

Rescinds:

Issued:

The Board desires to maintain open channels of communication between itself and the Superintendent and Executive Staff. The basic line of communication will, however, be through the Superintendent or Chief of Staff.

Staff Communications to the Board

All communications or reports to the Board or any Board committee from principals, supervisors, teachers, or other staff members shall be submitted through the Superintendent. This necessary procedure shall not be construed as denying the right of any employee to appeal to the Board from administrative decisions or important matters, provided that the superintendent shall have been notified of the forthcoming appeal and that it is processed in accordance with the Board's policy on complaints and grievances. Staff members are also reminded that Board meetings are public meetings. As such, they provide an excellent opportunity to observe at first hand the Board's deliberations on problems of staff concern.

Board Communications to Staff

All official communications, requests for information, suggestions, and concerns will be communicated to staff members through the Superintendent or Executive Staff depending on the request. Any problem of a serious nature shall be directed to the superintendent. The superintendent will employ all such media as are appropriate to keep staff fully informed of the Board's problems, concerns, and actions. The superintendent shall annually provide Board members with a list and primary duties of the Superintendent's Executive Staff designated to directly communicate with and respond to Board Member's requests.

Visits to Schools

Visits to the schools will be made whenever, in the judgment of the board, such visits are necessary. Official visits by Board members will be carried on only under Board authorization and with the full knowledge of staff, including the superintendent, principals, and other supervisors.

Individual Board members interested in visiting schools will inform the principal of such visits and make arrangement for visitations. Individual Board member's visits shall be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes.

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3 **Social Interaction**

4 Staff and Board members share a keen interest in the schools and in education generally,
5 and it is to be expected that when they meet at social affairs and other functions, they will
6 informally discuss such matters as educational trends, issues, and innovations and
7 general school problems. However, staff members are reminded that individual Board
8 members' legal authority exists only when they are convened at a designated meeting of
9 the Board of Education or when they are vested with special authority by Board action.
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14 **T.C.A. § 49-2-203**
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Shelby County Board of Education

0019

Descriptor Term:

POLICY REVIEW

Descriptor Code:

Board

Issued Date:

08/26/10

Rescinds:

Issued:

At least every two (2) years, the Board will review its policies for the purpose of passing, revising or deleting policies mandated by changing conditions. It shall evaluate how the policies have been executed by the school staff and shall weigh the results. The Board shall rely on the school staff, students, and the community to provide evidence of the effect of the policies which it has adopted.

The Superintendent is given the responsibility of calling to the Board's attention all policies that need revision.

The following criteria shall be used when evaluating the policies for possible revision or updating:

Is the policy within the scope of the Board's discretionary authority as granted by state statutes?

Is it consistent with state and federal law and with the provisions of the United States Constitution?

Does it have a legitimate purpose that is educationally valid or a desirable end or objective?

Does it reflect sound judgment and wisdom?

Legal counsel shall be sought when in the opinion of the Superintendent or the Board a question exists regarding the legality of a policy.

T.C.A. § 49-2-207

Shelby County Board of Education

0020

Descriptor Term:

ETHICS

Descriptor Code:

Board

Issued Date:

03/31/11

Rescinds:

Issued:

The Board adopts this Code of Ethics as recommended by the Tennessee School Boards Association as a guide to its members as they provide educational leadership for the youth of our state.

ARTICLE I. MY RELATIONS TO THE CHILDREN

Section 1. I will at all times think in terms of *children first*, always determining other important things according to how they affect education and training of children.

Section 2. I will seek to provide equal educational opportunities for all children regardless of ability, race, color, sex, creed or location of residence.

ARTICLE II. MY RELATIONS TO MY COMMUNITY

Section 1. I will endeavor to appraise fairly both the present and future educational needs of the community and to support improvements as finances permit.

Section 2. I will represent at all times the entire school community and refuse to represent special interest or partisan politics.

Section 3. I will endeavor to keep the community informed about the process and needs of the schools.

ARTICLE III. MY RELATIONS TO TEACHERS AND PERSONNEL

Section 1. I will support the employment of those persons best qualified to serve as employees and insist on a regular and impartial evaluation of all staff.

Section 2. I will support and protect personnel in performance of their duties.

Section 3. I will not criticize employees publicly but will make such criticism to the superintendent for investigation and action if necessary.

ARTICLE IV. MY RELATIONS WITH OTHER BOARD MEMBERS

Section 1. I will recognize that authority rests only with the Board in official meetings and that the individual member has no legal status outside of such meetings.

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3 Section 2. I will refuse to make promises as to how I will vote on a matter which
4 should properly come before the Board as a whole.
5 Section 3. I will make decisions only after full discussion of matters at a board
6 meeting.
7 Section 4. I will respect the opinion of other members and will accept the
8 principle of *majority rule*.
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11 **ARTICLE V. MY RELATIONS WITH THE SUPERINTENDENT**

- 12 Section 1. I will support full administrative authority as well as responsibility for
13 the superintendent to properly discharge all professional duties.
14 Section 2. I will support superintendent accountability for working and requiring
15 staff to work within the framework of policies set up by the Board.
16 Section 3. I will refer all complaints and concerns to the superintendent.
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18 **ARTICLE VI. MY RELATIONS TO MYSELF**

- 19 Section 1. I will inform myself about my duties and responsibilities and current
20 educational issues by individual study and through participation in
21 programs providing needed information, such as those sponsored by
22 school boards associations.
23 Section 2. I will avoid being placed in a position of conflict of interest, and will
24 refrain from using my board position for personal or partisan gain.
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0021	Shelby County Board of Education		
	Descriptor Term:	Descriptor Code:	Issued Date:
	CODE OF ETHICS SHELBY COUNTY SCHOOLS DISTRICT	Board	08/26/10
		Rescinds:	Issued:

Section 1. Definitions.

(1) "School district" means Shelby County Schools District, which was duly created by a public or private act of the General Assembly; and which includes all boards, committees or commissions appointed or created by the school district or an official of the school district.

(2) "Officials and employees" means and includes any official, whether elected or appointed, officer, employee or servant, or any member of any board, agency, commission, authority or corporation (whether compensated or not), or any officer, employee or servant thereof, of the school district.

(3) "Personal interest" means, for the purpose of disclosure of personal interests in accordance with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the official's or employee's spouse or child living in the same household, in the matter to be voted upon, regulated, supervised, or otherwise acted upon in an official capacity.

Section 2. Disclosure of personal interest in voting matters. An official or employee with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and to be included in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's or employee's vote on the measure. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from voting on the measure.

Section 3. Disclosure of personal interest in non-voting matters. An official or employee who must exercise discretion relative to any matter other than casting a vote and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on the attached disclosure form and file the disclosure form with the school district's central office. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from the exercise of discretion in the matter. (**[Click Here to download the Conflict of Interest Disclosure Statement.](#)**)

1 **Section 4. Acceptance of gifts and other things of value.** An official or employee, or an
2 official's or employee's spouse or child living in the same household, may not accept,
3 directly or indirectly, any gift, money, gratuity, or other consideration or favor of any
4 kind from anyone other than the school district that a reasonable person would
5 understand was intended to influence the vote, official action or judgment of the
6 official or employee in executing decision-making authority affecting the school
7 district.
8

9 It shall not be considered a violation of this policy for an official or employee to receive
10 entertainment, food, refreshments, meals, health screenings, amenities, foodstuffs,
11 travel, lodging, or beverages that are provided in connection with a conference
12 sponsored by an established or recognized statewide association of school board
13 officials or by an umbrella or affiliate organization of such statewide association of
14 school board officials, or which are provided by any company, agency, or organization
15 for the education or training of school district officers, employees, or elected officials.
16
17

18 It shall also not be considered a violation of this policy for any officer, employee or
19 elected official of the School District to accept from educational institutions, civic
20 organizations, or nonprofit organizations, tickets for sporting events, activities,
21 performances, receptions, breakfasts, dinners, or luncheons that are sponsored by said
22 educational institutions, civic organizations, or nonprofit organizations.
23

24 **Section 5. Ethics Complaints.** The school district may create a School District Ethics
25 Committee (the "Ethics Committee") consisting of three members who will be
26 appointed to one-year terms by the Chairman of the Board of Education with
27 confirmation by the board of education. At least two members of the committee shall
28 be members of the board of education. The Ethics Committee shall convene as soon as
29 practicable after its appointment and elect a chair and a secretary. The records of the
30 Ethics Committee shall be maintained by the secretary and shall be filed in the office of
31 the director of schools, where they shall be open to public inspection.
32
33

34 Questions and complaints regarding violations of this Code of Ethics or of any
35 violation of state law governing ethical conduct should be directed to the chair of the
36 Ethics Committee. Complaints shall be in writing and signed by the person making the
37 complaint, and shall set forth in reasonable detail the facts upon which the complaint is
38 based.
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1 The School District Ethics Committee may investigate any credible complaint against an
2 official or employee charging any violation of this Code of Ethics, or may undertake an
3 investigation on its own initiative when it acquires information indicating a possible
4 violation, and make recommendations for action to end or seek retribution for any activity
5 that, in the Committee's judgment, constitutes a violation of this Code of Ethics. If a
6 member of the Committee is the subject of a complaint, such member shall recuse himself
7 or herself from all proceedings involving such complaint.

8
9 The Committee may:

- 10 (1) refer the matter to the Board Attorney for a legal opinion and/or
11 recommendations for action;
- 12 (2) in the case of an official, refer the matter to the school board body for possible
13 public censure if the board body finds such action warranted;
- 14 (3) in the case of an employee, refer the matter to the official responsible for
15 supervision of the employee for possible disciplinary action if the official
16 finds discipline warranted;
- 17 4) in a case involving possible violation of state statutes, refer the matter to the
18 district attorney for possible ouster or criminal prosecution;
- 19

20 The interpretation that a reasonable person in the circumstances would apply shall be
21 used in interpreting and enforcing this Code of Ethics. When a violation of this Code of
22 Ethics also constitutes a violation of a personnel policy, the violation shall be dealt with
23 as a violation of the personnel provisions rather than as a violation of this Code of Ethics.
24

25 **T.C.A. § 8-17-101 *et seq.***
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**SHELBY COUNTY SCHOOLS DISTRICT CODE OF ETHICS
CONFLICT OF INTEREST DISCLOSURE STATEMENT**

Instructions: This form is for reporting personal interests required to be disclosed under Section 3 of the Code of Ethics of this school district. Officials and employees are required to disclose personal interests in matters that affect or would lead a reasonable person to infer that it would affect the exercise of discretion of an official or employee.

1. Date of disclosure:

2. Name of official or employee:

3. Office and position:

4. Description of personal interest (describe below in detail):

Signature of Official or Employee

Witness Signature

Printed Name of Witness

Shelby County Board of Education

0022

Descriptor Term:

BOARD MEMBERS' CODE OF CONDUCT

Descriptor Code:

Board

Issued Date:

03/31/11

Rescinds:

Issued:

The Board commits itself and its members to ethical, businesslike and lawful conduct, including proper use of authority and appropriate decorum when acting as Board members.

Accordingly:

1. Board members will represent the interests of the citizens of the entire school district. This accountability to the whole district supersedes, as examples, but is not limited to:
 - a. any conflicting loyalty a member may have to other advocacy or interest groups;
 - b. loyalty based upon membership on other boards or staffs;
 - c. conflicts based upon the personal interest of any Board member who is also a parent of a student in the district;
 - d. conflicts based upon being a relative of an employee of the district; or
 - e. conflicts based upon the member's election from a subsection of the district.
2. Board members may not attempt to exercise individual authority over the organization.
 - a. Members' interaction with the Superintendent and with staff must recognize the lack of authority vested in individuals except when explicitly authorized by the Board.
 - b. Members' interaction with the public, press or other entities must recognize the same limitation and the inability of any Board member to speak for the Board except to repeat explicitly-stated Board decisions.
 - c. Members will not publicly express individual negative judgments about Chairman or staff performance outside the formal evaluation process. Any such judgments of Superintendent or staff performance will be made only by the full Board.
3. Members shall maintain confidentiality appropriate to sensitive issues and information that otherwise may tend to compromise the integrity or legal standing of the board.

Shelby County Board of Education

0023

Descriptor Term:

**PROCESS FOR ADDRESSING
BOARD MEMBER VIOLATIONS**

Descriptor Code:

Board

Issued Date:

03/31/11

Rescinds:

Issued:

The Board and each of its members are committed to faithful compliance with the provisions of the Board's policies. In the event of a member's willful and continuing violation of policy, the Board will seek remedy by the process as set forth in the following order:

- a. conversation in a private setting between the offending member and the Board Chairman or other individual member;
- b. discussion between the offending member and the full Board;
- c. public censure of the offending member of the Board.

1000

ADMINISTRATION

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Shelby County Board of Education

1001

Descriptor Term:

SCHOOL SUPERINTENDENT

Descriptor Code:

Administration

Issued Date:

08/26/10

Rescinds:

Issued:

The Board of Education hereby assigns to the Superintendent the duties set forth in T.C.A. § 49-2-301.

The Board reserves the right to review and veto administrative rules should they, in the Board's judgment, be inconsistent with the policies adopted by the Board.

T.C.A. § 49-2-301

Shelby County Board of Education

1002

Descriptor Term:

**SUPERINTENDENT
APPOINTMENT PROCEDURE**

Descriptor Code:

Administration

Issued Date:

07/27/11

Rescinds:

Issued:

1 The appointment of the Superintendent of Schools is a function of the Board. The
2 Board shall seek to employ the person it believes can most effectively translate into
3 action the policies of the Board and the goals of the community and the professional
4 staff.
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8 The Board of Education shall appoint a person to serve as Superintendent of
9 Schools, who meets at least the minimum qualifications described in T.C.A. §49-2-301
10 and the qualifications listed in the Superintendent's job description approved by the
11 Board. Following the appointment, the Superintendent shall enter into a contract with
12 the Board of Education. This renewable contract shall be for a period up to four years
13 and shall specify compensation, benefits, and other terms of employment.
14

15
16 The Board may select one of the following methods to secure the services of the
17 Superintendent:

- 18 1. Adopt a resolution to employ the incumbent Superintendent, or,
19

20 When a vacancy occurs in the office of Superintendent, the Board will develop
21 criteria for selection and make their selection based on the criteria, by using one of
22 these methods:

- 23 1. Create a local search committee comprised of the members of the Board.
24 2. Employ a consultant to manage the search process.
25

26
27 Final selection of a Superintendent and initial approval of the employment contract
28 will be confirmed by a 2/3 majority vote of the Board. To ensure continuity, the
29 appointment process shall commence no later than six months prior to the expiration
30 of the contract of the incumbent Superintendent. The Board shall endeavor to
31 complete the selection process no later that forty-five calendar days prior to the
32 expiration of the contract of the incumbent Superintendent.
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1 Extension of Contract

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3 The Board shall not extend the Superintendent's contract without giving notice of the
4 intent to do so at least fifteen (15) calendar days prior to the scheduled meeting at which
5 action shall be taken. Except in cases concerning allegations of criminal or professional
6 misconduct, the Board shall not terminate the contract or remove the Superintendent from
7 office without giving notice at least fifteen (15) calendar days prior to the scheduled
8 meeting at which action shall be taken. Notice of extension or termination of the
9 Superintendent's contract shall include the date, time and place of the meeting, and shall
10 comport with all other requirements of T. C. A. § 8-44-103 and § 49-2-202(c)(1). The
11 proposed action shall be published as a specific, clearly stated item on the agenda for the
12 meeting. Such item, for the convenience of the public attending the meeting, shall be the
13 first item on the agenda.
14

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16 A resolution to extend the appointment and employment contract of the incumbent will
17 require a majority vote of the Board.
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22 **T.C.A. § 49-2-203**

23 **T. C. A. § 8-44-103**

24 **T.C.A. § 49-2-202(c)(1)**
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Shelby County Board of Education

1003

Descriptor Term:

**SUPERINTENDENT:
QUALIFICATIONS AND SELECTION**

Descriptor Code:

Administration

Issued Date:

08/26/10

Rescinds:

Issued:

QUALIFICATIONS

The superintendent of schools shall be a person of literary attainment and experience in the art of teaching and school administration and shall:

1. Possess experience in teaching and school administration totaling at least 10 years;
2. Have an earned Master's degree with a major in educational administration;
3. Possess a license of qualification for a superintendent in the state of Tennessee; or
4. Meet such alternatives to the above qualification as the Board may find appropriate and acceptable.

SELECTION

The superintendent of schools shall be employed by the Board under written contract for a maximum of four (4) years, which may be renewed.

T.C.A. § 49-2-203

Shelby County Board of Education

1004

Descriptor Term:

**SUPERINTENDENT:
COMPENSATION AND BENEFITS**

Descriptor Code:

Administration

Issued Date:

08/26/10

Rescinds:

Issued:

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3 The salary of the superintendent, additional benefits, vacation entitlement, and other
4 leave shall be determined by contract.
5

6 Benefits such as health and other forms of insurance, annual vacation, holidays, and
7 temporary extended leaves and absences shall be at least equal to those granted
8 other professional staff members.
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12 T.C.A. § 49-2-203
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Shelby County Board of Education

1005

Descriptor Term:

**SUPERINTENDENT:
EVALUATION**

Descriptor Code:

Administration

Issued Date:

08/26/10

Rescinds:

Issued:

Through an annual evaluation of the Superintendent, the Board will strive to accomplish the following:

1. Clarify the role of the Superintendent according to a job description as agreed upon by the Board and the superintendent;
2. Develop harmonious working relationships between the Board and the Superintendent; and
3. Develop improvements in the administrative leadership of the school system.

The Board will develop, with the Superintendent, a set of performance objectives based on the needs of the system. The performance of the superintendent will be reviewed in accordance with these specified goals.

At the time agreed to by the Board and the Superintendent, the Board will meet as a body to evaluate the Superintendent's performance.

The following guidelines will be used in the evaluation process:

1. The Superintendent will know the standards upon which he/she will be evaluated and will be involved in the development of those standards.
2. The evaluation will be a composite of the evaluation by individual board members, but the Board, as a whole, will meet with the Superintendent to discuss the composite evaluation.
3. The evaluation shall include a discussion of strengths as well as weaknesses.
4. Both the Board and Superintendent will prepare for the evaluation; the superintendent will conduct a self-evaluation and board members will document the evidence used in rating the superintendent's performance.
5. All documentation will be supported by objective evidences.

Tennessee State Board of Education Rule § 0520-2-1-.01

Shelby County Board of Education

1006

Descriptor Term:

**TEMPORARY ADMINISTRATIVE
ARRANGEMENTS**

Descriptor Code:

Administration

Issued Date:

08/26/10

Rescinds:

Issued:

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3 In any organization it is important that the responsibility for decision making be
4 clearly delineated. This is particularly true if the superintendent, for one reason or
5 another, is unavailable. In these cases, there should be a clear line of administrative
6 succession which designates both responsibility and authority.

7
8 In the event of serious illness or death of the superintendent, the Board chairman
9 shall call a special meeting of the Board within forty-eight (48) hours to determine
10 what course the system should take at that time.
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Shelby County Board of Education

1007

Descriptor Term:

**NAMING OF SCHOOLS AND
SCHOOL FACILITIES**

Descriptor Code:

Administration

Issued Date:

08/26/10

Rescinds:

Issued:

Insofar as possible, the Board will name a school after the name of the geographic section which it serves. If the school is not to be named for the section which it serves, a representative group of parents will be consulted in naming the school.

Schools shall not be named for a living person.

The naming of any and all school facilities and real estate, including all buildings, structures, athletic facilities, athletic fields, practice fields, playgrounds, streets, etc., requires the prior approval of the Shelby County Board of Education.

Shelby County Board of Education

1008

Descriptor Term:

DRUG FREE ENVIRONMENT

Descriptor Code:

Administration

Issued Date:

08/26/10

Rescinds:

Issued:

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3 It is the policy of the Shelby County Schools to maintain a drug-free and safe
4 work environment. The unlawful manufacture, distribution, dispensing,
5 possession, purchase, sale, transfer, or use of drugs or alcohol when on the job
6 or in the workplace are strictly prohibited. Employees should not be under the
7 influence of drugs (as defined below) or alcohol during their working hours for
8 Shelby County Schools regardless of whether those drugs or alcohol were
9 consumed during working hours or prior thereto.

10
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12 Drugs are defined for the purpose of this policy as: (a) drugs which are not
13 legally obtainable, and (b) drugs which are legally obtainable, but have not been
14 prescribed by a licensed physician for the person that is in possession of the
15 drug.

16
17 When management has reasonable suspicion to believe that an employee is
18 using or is under the influence of drugs or alcohol while at work, management
19 may request that the employee participate in a drug and/or alcohol screening
20 procedure to determine if the employee has evidence of alcohol or drugs in his or
21 her blood or urine. The supervisor or managerial person shall relate to the
22 employee the reason the test is being requested. A refusal to submit to the
23 above procedure will be considered insubordination which is a major infraction
24 and subject to major discipline, up to and including possible termination.

25
26
27 If the employee does submit to the said screening procedure and it is determined
28 that there is evidence of drugs or alcohol present, disciplinary action up to and
29 including termination may result.

30
31 All persons in jobs within the system requiring commercial driver's licenses will
32 be subject to drug and alcohol testing as mandated by federal law and the
33 Tennessee Code Annotated.

34
35 The violation of any provision of this policy is considered a major disciplinary
36 infraction and may result in disciplinary action up to and including termination.
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3 Under appropriate circumstances, management may require that the employee participate
4 fully and satisfactorily in an approved drug or alcohol rehabilitation program coordinated
5 by Employee Assistance Program (EAP) and such participation may be considered as
6 part of the disciplinary process. The employee will be allowed to return to work only with
7 a signed Return to Work Agreement.
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10 As a condition of continued employment with Shelby County Schools, all employees
11 must abide by Shelby County Schools System's policy on an alcohol and drug-free
12 workplace.
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Shelby County Board of Education

1009

Descriptor Term:

NON-DISCRIMINATION

Descriptor Code:

Administration

Issued Date:

08/25/11

Rescinds:

Issued:

The following persons have been designated to handle inquiries regarding the non-discrimination policies:

For Employees

**Federal Rights Coordinator
160 South Hollywood
Memphis, Tennessee 38112
(901) 321-2539**

For Students

**Federal Rights Coordinator
160 South Hollywood
Memphis, Tennessee 38112
(901) 321-2575**

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED

The Shelby County Board of Education prohibits the discrimination on the basis of race, color and national origin in the educational programs or activities which are operated by Shelby County Schools.

Students or employees that believe that they have been discriminated against on the basis of their race, color or national origin must contact Shelby County Schools' designated Federal Rights Coordinators whose contact information is as designated above.

TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED

The Shelby County Board of Education prohibits discrimination of its employees and applicants for employment on the basis of race, color, religion, sex or national origin. The SCBE also prohibits discrimination against its employees on the basis of the employee's or applicant's association with another individual of a particular race, color, religion, sex or national origin.

1 Employees or applicants for employment that believe that they have been discriminated
2 against on the basis of their race, color, religion, sex or national origin must contact Shelby
3 County Schools' designated Federal Rights Coordinators whose contact information is as
4 designated above.
5

6
7 **AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967**

8 The Shelby County Board of Education prohibits discrimination of its employees and applicants for
9 employment on the basis of age. Employees or applicants for employment that believe they have
10 been discriminated against on the basis of age must contact Shelby County Schools' designated
11 Federal Rights Coordinators whose contact information is as designated above.
12

13 **TITLE II OF THE GENETIC INFORMATION NONDISCRIMINATION ACT OF 2008**

14 The Shelby County Board of Education prohibits discrimination of its employees and applicants on
15 the basis of genetic information. Employees or applicants for employment that believe they have
16 been discriminated against on the basis of genetic information must contact Shelby County Schools'
17 designated Federal Rights Coordinators whose contact information is as designated above.
18

19 **TITLE IX OF THE EDUCATION AMENDMENTS ACT OF 1972, AS AMENDED**

20 The Shelby County School System prohibits discrimination on the basis of sex in the educational
21 programs or activities which it operates. The prohibition against discriminating on the basis of sex in
22 educational programs and activities extends to employment in and admission to such programs and
23 activities.
24

25 Students or employees that believe that they have been discriminated against on the basis of sex in the
26 educational programs or activities which Shelby County Schools operates must contact Shelby
27 County School's designated Federal Rights Coordinators whose contact information is as designated
28 above.
29

30 **SECTION 504/ TITLE II OF THE AMERICANS WITH DISABILITIES ACT , AS AMENDED**

31 The Shelby County Board of Education prohibits the exclusion from participation in, the
32 denial of benefits of, or the discrimination of any qualified handicapped person in any
33 Shelby County School program on the basis of handicap.
34

35 Qualified handicapped parents, students or employees¹ that believe that they have been
36 excluded from participating in, denied benefits of, or have been discriminated against in any
37 Shelby County School program on the basis of handicap must contact Shelby County
38 Schools' designated Federal Rights Coordinators whose contact information is as
39 designated above.
40

41 ^{ENFN}Proof of handicap from a licensed physician may be required.
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3 **AMERICANS WITH DISABILITIES ACT OF 1990, AS AMENDED**

4 The Shelby County Board of Education prohibits discrimination against employees and
5 applicants on the basis of disability.

6 Employees and applicants that believe they have been discriminated against on the basis of
7 disability must contact Shelby County Schools' designated Federal Rights Coordinators whose
8 contact information is as designated above.

9
10 ^{FN} ^{FN}Proof of handicap from a licensed physician may be required

11
12 **STUDENT RIGHTS AND RESPONSIBILITIES**

13 The privileges and rights of all students shall be guaranteed without regard to race, color,
14 religion, sex, creed, age, handicap, disability, or national origin. Students may exercise their right
15 to freedom of expression through lawful means. The exercise of this right may not interfere with
16 the rights of others. Freedom of expression may not be utilized to present material which tends
17 to be obscene, slanderous, or to defame character, or to advocate violation of federal, state, and
18 local laws, or official school policies, rules, and regulations.

19
20 **RETALIATION FOR REPORTING DISCRIMINATION**

21 The Shelby County Board of Education prohibits the retaliation of students,
22 parents or guardians of students, and employees who file complaints of
23 discrimination.
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Shelby County Board of Education

1010

Descriptor Term:

**ARCHITECTURAL DESIGN
COMMISSIONS**

Descriptor Code:

Administration

Issued Date:

08/26/10

Rescinds:

Issued:

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4 The services of licensed architects may be commissioned for Capital Improvement
5 Program construction projects where knowledge, skills, or design time cannot be
6 supplied by regular staff. The commission of services shall be consistent with the
7 Capital Improvement Program budget. Procedures for the review and
8 recommendation of architectural design commissions shall be developed by the
9 Superintendent. The Executive Committee shall recommend architects to the Board of
10 Education.
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Shelby County Board of Education

1011

Descriptor Term:

CHARTER SCHOOLS

Descriptor Code:

Administration

Issued Date:

07/27/11

Rescinds:

Issued:

The Shelby County Board of Education adopts this Policy in accordance with T.C.A. § 49-13-101 *et seq.* and Tennessee State Board of Education Rules pertaining to Charter Schools. As the Chartering Authority for the Shelby County School District, the Shelby County Board of Education is responsible for approving, renewing or deciding not to revoke public charter agreements.

Applications

On or before October 1 of the year preceding the year in which the proposed public charter school plans to begin operation, the sponsor seeking to establish a public charter school shall prepare and file with the Superintendent of the Shelby County Board of Education an Application providing the following information:

- (1) A statement defining the mission and goals of the proposed public charter school;
- (2) The proposed instructional goals and methods for the school, which, at a minimum, shall include teaching and classroom instruction methods that will be used to provide students with the knowledge, proficiency and skills needed to reach the goals of the school;
- (3) A plan for evaluating student academic achievement at the proposed public charter school and the procedures for remedial action that will be used by the school when the academic achievement of a student falls below acceptable standards;
- (4) An operating budget based on anticipated enrollment;
- (5) The method for conducting annual audits of the financial, administrative and program operations of the school;
- (6) A timetable for commencing operations as a public charter school that shall provide for a minimum number of academic instruction days, which shall not be fewer than those required by statute;

- (7) The proposed rules and policies for governance and operation of the school;
- (8) The names and addresses of the members of the governing body;
- (9) A description of the anticipated student enrollment and the nondiscriminatory admission policies;
- (10) The code of behavior and discipline of the proposed public charter school;
- (11) The plan for compliance with the applicable health and safety laws and regulations of the federal government and the laws of the state;
- (12) The qualifications required of employees of the proposed public charter school;
- (13) The identification of the individuals and entities sponsoring the proposed public charter school, including their names and addresses;
- (14) The procedures governing the deposit and investment of idle funds, purchasing procedures and comprehensive travel regulations;
- (15) The plan for the management and administration of the school;
- (16) A copy of the proposed bylaws of the governing body of the charter school;
- (17) A statement of assurance of liability by the governing body of the charter school;
- (18) Types and amounts of insurance coverage to be held either by the charter school or approved by the local board of education, including provisions for assuring that the insurance provider will notify the Department of Education within ten (10) days of the cancellation of any insurance it carries on the charter school;

1 (19) The plan for transportation for the pupils attending the charter school;
2 and
3

4 (20) Information regarding financing commitments from equity investors or
5 debt sources for cash or similar liquid assets sufficient to demonstrate
6 that the charter school will have liquid assets sufficiently available to
7 operate the school on an ongoing and sound financial basis. In lieu of
8 cash or similar liquid assets, an applicant may provide a financial bond
9 issued by a company authorized to issue surety bonds in this state.
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13 Neither the Shelby County Board of Education nor the Commissioner of
14 Education can waive regulatory or statutory requirements related to:
15

16 Federal and state civil rights;
17 Federal, state, and local health and safety;
18 Federal and state public records;
19 Immunizations;
20 Possession of weapons on school grounds;
21 Background checks and fingerprinting;
22 Federal and state special education services;
23 Student due process;
24 Parental rights;
25 Federal and state student assessment and accountability;
26 Open meetings; and
27 At least the same equivalent time of instruction required in regular public
28 schools.
29

30 **T.C.A. § 49-13-105**
31

32 A charter sponsor "cannot be a for-profit entity, a private elementary or secondary
33 school, a post-secondary institution not accredited by the Southern Association of
34 Colleges and Schools, a religious or church school or promote the agenda of any
35 religious denomination or religiously affiliated entity."
36

37 **T.C.A. § 49-13-104**
38

39 "No cyber-based public charter school may be authorized."
40

41 **T.C.A. § 49-13-106**
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Administrative Review of Public Charter Applications

1. The Superintendent shall appoint a Public Charter Schools Team for assisting in reviewing public charter school applications and providing technical assistance to newly created public charter schools. The Public Charter Schools Team shall consist of individuals from the following departments: Finance, Operations, Human Resources, Curriculum and Instruction, and Communications.

The Team shall:

- o Review charter school applications using state criteria.
 - o Review the applications of all approved public charter schools.
 - o Recommend policy or administrative changes to the Superintendent.
2. The Superintendent shall appoint an Applications Subcommittee from the Public Charter Schools Team to read and rate each application. The Subcommittee shall have the authority to seek assistance from all appropriate Shelby County Schools personnel when reviewing the applications, including individuals who are not members of the Public Charter Schools Team.
3. The Applications Subcommittee shall present a written recommendation to accept or reject a public charter application to the Public Charter Schools Team. The Public Charter Schools Team shall make final recommendations to the Superintendent to accept or reject applications.
4. The Superintendent shall make written recommendations to the Shelby County Board of Education to accept, conditionally accept or reject a public charter school application.

Board Review of Public Charter School Applications

- A. Prior to approving or denying a charter school's application the Board of Education may consider whether the establishment of the charter school will have a substantial negative fiscal impact on the Board of Education such that authorization of the charter school would be contrary to the best interests of the pupils, school district or community. If the Board of Education denies an initial application in whole or in part for this reason, the Board shall provide the following supporting documentation to the sponsor:

- 1 (i) Current student enrollment figures for the Shelby County Board of
2 Education and an estimate of the number of students currently enrolled
3 who will transfer to the charter school seeking authorization;
4
5 (ii) An estimate, based on prior years' data, of the number of students who
6 will no longer be enrolled as students of the Shelby County Board of
7 Education during the school year in which the charter school seeks to
8 begin operation for reasons other than a transfer to the charter school;
9
10 (iii) A projection of the Shelby County Board of Education's student
11 enrollment for the school year in which the charter school seeks to
12 begin operation, excluding the estimated number of students who will
13 transfer to the charter school seeking authorization. Such projection
14 will include estimates, using prior years' data, of increased revenue to
15 the Shelby County Board of Education from first-time enrollees or
16 transferees into the district; and
17
18 (iv) Specific facts or financial information and a written statement
19 demonstrating how placement or transfer of students to a charter
20 school within the Shelby County Board of Education's jurisdiction will
21 impose a budgetary or financial burden on the Shelby County Board of
22 Education beyond that associated with normal enrollment fluctuations,
23 including an objective analysis of the Shelby County Board of
24 Education's ability to adjust expenses on a systemwide basis due to the
25 estimated numbers and anticipated placement of students who will
26 transfer to the charter school seeking authorization.
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- 30 B. (i) If the Board of Education denies an amended charter school application
31 because of a substantial negative fiscal impact, the Board of Education
32 shall provide the supporting documentation identified in the
33 subdivisions above to the state treasurer within five (5) days of the
34 Board of Education's denial of the amended application. The sponsor
35 may submit a response and supporting documentation to the treasurer
36 within five (5) days of the Board of Education's denial of the amended
37 application. The treasurer shall review the supporting documentation
38 and written statement submitted by the Board of Education and the
39 response and supporting documentation of the sponsor to determine
40 the reasonableness of the denial based on substantial negative fiscal
41 impact. The treasurer may consult with the department of education in
42 the review and may request additional information from the Board of
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1 Education, the sponsor and the department to assist in the review. As
2 soon as practicable after receipt of all requested documentation and
3 expert reports or both, but in no case greater than thirty (30) days, the
4 treasurer shall make a determination as to the reasonableness of the
5 denial based on substantial negative fiscal impact. If the treasurer
6 determines it is necessary or appropriate, the treasurer is authorized
7 to engage experts to assist the treasurer in this process.
8

9
10 ii. If the treasurer determines that the information provided by the Board
11 of Education reasonably demonstrates that establishment of the charter
12 school shall have a substantial negative fiscal impact on the Shelby
13 County Board of Education such that authorization of the charter
14 school would be contrary to the best interests of the pupils, school
15 district or community, the sponsor may not appeal the denial to the
16 state board of education.
17

18 iii. If the treasurer determines that the information provided by the Board
19 of Education does not reasonably demonstrate that establishment of
20 the charter school shall have a substantial negative fiscal impact on the
21 Shelby County Board of Education such that authorization of the
22 charter school would be contrary to the best interests of the pupils,
23 school district or community, the sponsor may appeal the denial by the
24 Board of Education to the state board of education, pursuant to
25 subdivisions above. However, the sponsor shall request this appeal
26 within five (5) days of the final decision by the treasurer.
27
28

29 5. In reviewing applications for newly created charter schools, the Board of
30 Education shall give preference to applications that demonstrate the capability
31 to meet the needs of the following groups of students;
32

- 33 (i) Students who are assigned to, or were previously enrolled in, a school
34 failing to make adequate yearly progress, as defined by the state's
35 accountability system;
36 (ii) Students who, in the previous school year, failed to test proficient in
37 the subjects of reading/language arts or mathematics in grades three
38 (3) through eight (8) on the Tennessee Comprehensive Assessment
39 Program examinations;
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1 (iii) Students who, in the previous school year, failed to test proficient in
2 the subjects of reading/language arts or mathematics on the end of
3 course assessments in grades nine (9) through twelve (12); or

4
5 (iv) Students who are eligible for free or reduced price lunch.
6

7
8 If an application with the focus of serving students from a group or
9 groups set forth in Sections 5 (i) - (iv) above is approved, then the
10 school shall give preference in enrollment to students from such group
11 or groups. Such school shall include in the annual report under
12 T.C.A. § 49-13-120, the number of students from such group or groups
13 who are attending the school.
14

15 C. 1. (i) The Shelby County Board of Education (SCBE) shall have the authority
16 to approve applications to establish public charter schools and renew
17 public charter school agreements. The SCBE shall rule by resolution, at
18 a regular or special called meeting, on the approval or denial of a charter
19 application within sixty (60) days of receipt of the completed
20 application. Should the SCBE fail to either approve or deny a charter
21 application within the sixty (60) day time limit the application shall be
22 deemed approved.
23

24
25 (ii) The grounds upon which the Board of Education bases a decision to
26 deny a public charter school application must be stated in writing,
27 specifying objective reasons for the denial. Upon receipt of the
28 grounds for denial, the sponsor shall have fifteen (15) days within
29 which to submit an amended application to correct the deficiencies.
30 The Board shall have fifteen (15) days either to deny or to approve the
31 amended application.
32

33
34 (iii) A denial by the Board of Education of an application to establish a
35 public charter school may be appealed by the sponsor, within ten (10)
36 days of the final decision to deny, to the state board of education. The
37 appeal and review process shall be in accordance with this subdivision
38 (3). Within sixty (60) days after receipt of the notice of appeal or the
39 making of a motion to review by the state board and after reasonable
40 public notice, the state board, at a public hearing attended by the Board
41 of Education or its designated representative and held in the school
42 district in which the proposed charter school has applied for a charter,
43 shall review the decision of the Board of Education and make its
44 findings.
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1 (iv) If the state board finds that the Board of Education's decision was
2 contrary to the best interests of the pupils, school district or
3 community, the state board shall remand the decision to the Board of
4 Education with written instructions for approval of the charter. The
5 grounds upon which the state board of education based a decision to
6 remand the application shall be stated in writing, specifying objective
7 reasons for the decision. The decision of the state board shall be final
8 and not subject to appeal.
9

10 2. (i) The Shelby County Board of Education shall forward a copy of each
11 application for a charter school to the Commissioner of Education and
12 shall notify the Commissioner immediately upon official action
13 approving or denying approval of an application for a charter school.
14

15 (ii) In the event that a sponsor submits an amended application, the Shelby
16 County Board of Education shall notify the Commissioner of Education
17 immediately upon official action approving or denying approval of an
18 amended application for a charter school. Renewals
19

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21 1. No later than October 1 of the year prior to the year in which the
22 charter expires, the governing body of a public charter school shall
23 submit a renewal application to the Board of Education. The Board of
24 Education shall rule by resolution, at a regular or special called
25 meeting, on whether to approve or deny the renewal application. The
26 decision of the Board of Education shall be based on the report and
27 evaluation provided for in T.C.A. § 49-13-120. If the original charter
28 application was appealable to the state board of education, a decision
29 by the Board of Education to deny renewal may be appealed by the
30 governing body, within ten (10) days. If the decision to deny, to the
31 state board of education. If the state board of education directs the
32 Board of Education to approve the renewal of the charter agreement,
33 the public charter school shall continue to operate for the prescribed
34 period of ten (10) academic years. A decision by the state board of
35 education to deny the renewal of a charter agreement shall be final. No
36 appeal may be taken.
37

38
39 2. A public charter school renewal application shall contain a report of
40 the school's operations, including students' standardized test scores,
41 financial statements and performance audits of the nine (9) years
42 preceding the date of the renewal application.
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3. An interim review of a charter school shall be conducted by the Board of Education under guidelines developed by the department of education in the fifth year of a charter school's initial period of operation and also in the fifth year following any renewal of a charter agreement.

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Revocation or Denial of Renewal

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1. A public charter school agreement may be revoked or denied renewal by the Board of Education if the Board of Education determines that the school did any of the following:
 - a. Committed a material violation of any of the conditions, standards or procedures set forth in the charter.
 - b. Failed to meet or make adequate yearly progress toward achievement of the state's accountability system for two (2) consecutive years.
 - c. Failed to meet generally accepted standards of fiscal management.
 2. If the Board of Education revokes or does not renew a charter agreement the Board shall state its reasons for the revocation or nonrenewal.
 3. A decision not to renew or to revoke a charter agreement may be appealed to the state board of education within ten (10) days of the decision, except for revocations or failures to renew based on the charter school's failure to meet or make adequate yearly progress for achievement of the state's accountability system for two (2) consecutive years.
 4. Except in the case of fraud, misappropriation of funds, flagrant disregard of the charter agreement or the provisions of T.C.A. § 49-13-101, *et seq.* or similar misconduct, or failure to make adequate yearly progress for two (2) consecutive years, a decision to revoke a charter shall become effective at the close of the academic year.

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2 In the event that the Board of Education approves any charter school application, the
3 charter agreement shall be drafted in accordance with T.C.A. § 49-13-101 *et seq.* and
4 the Public Charter School and its sponsor shall comply with all of the requirements of
5 T.C.A. § 49-13-101 *et seq.* and the Tennessee State Board of Education.
6

7
8 Notification of Properties to the State Board of Education
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10 By this Policy, the Board directs the Superintendent to catalog each year all vacant properties
11 owned or operated by the Board and all vacant space within any educational facility owned or
12 operated by the Board. The Board directs the Superintendent to annually submit a
13 comprehensive listing of all such properties and space to the Tennessee Department of
14 Education pursuant to T.C.A. § 49-13-135.
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21 **T.C.A. § 49-13-101 *et seq.***
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Shelby County Board of Education

1012

Descriptor Term:

PUBLIC RECORDS

Descriptor Code:

Administration

Issued Date:

07/27/11

Rescinds:

Issued:

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3 T.C.A. § 10-7-503 provides for personal inspection by any citizen of the state of
4 Tennessee, "public records", during business hours. "Public record" means all
5 documents, papers, letters, maps, books, photographs, microfilms, sound recordings
6 or other materials, regardless of physical form or characteristics, made or received
7 pursuant to law or ordinance or in connection with the transaction of official
8 business by the Board of Education; with exemptions of confidential information
9 determined by law. "Public records" do not include the device or equipment,
10 including, but not limited to, a cell phone, computer or other electronic or
11 mechanical device or equipment, that may have been used to create or store a
12 "public record".
13

14 Requests regarding public records shall be made to the records custodian
15 (Superintendent or Superintendent's designee) at the Shelby County Schools
16 administrative building located at 160 South Hollywood Street, Memphis,
17 Tennessee 38112.
18

19 **SCHEDULE OF REASONABLE CHARGES FOR COPIES OF PUBLIC RECORDS**

20 T.C.A. § 10-7-506 permits record custodians to charge for copies or duplication of
21 public records.
22

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24 Copy and/or Duplication Charges must be paid in advance to the records custodian
25 by cash or certified funds.
26

- 27 • SCS assesses a charge of 15 cents per page for each standard 8 1/2 x 11 or 8
28 1/2 x 14 black and white copy produced.
29
- 30 • If a public record is maintained in color, the records custodian shall advise
31 the requestor that the record can be produced in color if the requestor is
32 willing to pay a charge higher than that of a black and white copy. If the
33 requestor then requests a color copy, SCS assesses a charge of 50 cents per
34 page for each 8 1/2 x 11 or 8 1/2 x 14 color copy produced.
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Additional Production Charges

- Delivery of copies of records to a requestor is anticipated to be by hand delivery when the requestor returns to the custodian's office to retrieve the requested records. If the requestor chooses not to return to the records custodian's office to retrieve the copies, the records custodian may deliver the copies through means of the United States Postal Service and the cost incurred in delivering the copies may be assessed to the requestor in addition to any other permitted charge.
- If SCS utilizes an outside vendor to produce copies of requested records because the custodian is legitimately unable to produce the copies in his/her office, the cost assessed by the vendor to SCS may be recovered from the requestor. If SCS is assessed a charge to retrieve requested records from archives or any other entity having possession of requested records, SCS may assess the requestor the cost assessed SCS for retrieval of records.

Labor Charges

- "Labor" is defined as the time reasonably necessary to produce the requested records and includes the time spent locating, retrieving, reviewing, redacting, and reproducing the records.
- "Labor threshold" is defined as the labor of the employee(s) reasonably necessary to produce requested material for the first hour incurred by the records custodian in producing the material.
- SCS is permitted to charge the hourly wage of the employee(s) reasonably necessary to produce the requested records above the "labor threshold." The hourly wage is based upon the base salary of the employee(s) and does not include benefits. If an employee is not paid on an hourly basis, the hourly wage shall be determined by dividing the employee's annual salary by the required hours to be worked per year.
- In calculating the charge for labor, SCS shall determine the number of hours each employee spent producing a request. The records custodian shall then subtract the one (1) hour threshold from the number of hours the highest paid employee(s) spent producing the request. SCS will then multiply the total number of hours to be charged for the labor of each employee by that employee's hourly wage. Finally, SCS will add together the totals for all the employees involved in the request and that will be the total amount of labor that can be charges.

2000
B U S I N E S S

Annual Operating Budget.....	2001
Fiscal Year.....	2002
Bonded Employees and Officers	2003
Internal Accounting Manual.....	2004
Audits	2005
Purchasing Authority.....	2006
Payday Schedules	2007
Property Records	2008

Shelby County Board of Education

2001

Descriptor Term:

ANNUAL OPERATING BUDGET

Descriptor Code:

Business

Issued Date:

08/26/10

Rescinds:

Issued:

The school budget is the legal basis for the establishment of funding. It is the legal document which describes the programs conducted during a given period of time. It is the operational plan, stated in financial terms, for the conduct of all programs in the school system. The annual school budget process is an important function of school system operations and should serve as a means to improve communications within the school organization and with the residents of the school community.

Public school budgeting for Shelby County Schools is regulated and controlled by legislation, State Board of Education regulations, Shelby County Commission, and local school Board requirements.

Budget Officer. The Superintendent and Chairman of the Board of Education will prepare the annual budget each fiscal year. The budget shall set forth in itemized form the amount necessary to operate SCS's schools for the fiscal year, July 1 through June 30. The Superintendent is designated as the budget officer to oversee the daily administration of the system's budget.

T.C.A. § 49-2-301

T.C.A. § 49-2-203

Shelby County Board of Education

2002

Descriptor Term:

FISCAL YEAR

Descriptor Code:

Business

Issued Date:

08/26/10

Rescinds:

Issued:

Pursuant to state law, the fiscal year for the Shelby County Schools System is July 1 to June 30.

Shelby County Board of Education

2003

Descriptor Term:

**BONDED EMPLOYEES
AND OFFICERS**

Descriptor Code:

Business

Issued Date:

08/26/10

Rescinds:

Issued:

The Superintendent shall be bonded in the amount of \$100,000.00.

An individual bond in the amount of \$5,000.00 is required for all members of the Board.

The Board shall require adequate bonding of other school employees who are responsible for handling \$2,500.00 or more of school money annually. The amount of the bond shall be prescribed by the Board. In determining the amount and type of bond, the Board shall consider the amount of money handled or in account during the period of time covered by the bond. The Board may appropriate money from the General Fund to cover the costs of bonds for those employees handling student activity or other funds, or it may require that the cost of the bond be charged against the fund involved.

Shelby County Board of Education

2004

Descriptor Term:

**INTERNAL ACCOUNTING
MANUAL**

Descriptor Code:

Business

Issued Date:

08/26/10

Rescinds:

Issued:

The "*Tennessee Internal Uniform Accounting Policy Manual*" has been adopted by the Shelby County Board of Education as a guide for the internal school accounting system for each school.

A copy of the manual will be supplied to each school.

T.C.A. § 49-2-110

Shelby County Board of Education

2005

Descriptor Term:

AUDITS

Descriptor Code:

Business

Issued Date:

08/26/10

Rescinds:

Issued:

The books and accounts of the system shall be audited by an independent certified public accountant in conformance with the prescribed standards and legal requirements. The certified public accountant shall be selected by the Board.

The audit, when completed, shall be presented to the Board for examination.

On or before May 1 of each year, the Superintendent shall place before the Board the matter of the retaining of a certified public accountant.

The Superintendent shall be responsible for filing copies of the audit with the proper authorities as prescribed by law.

Shelby County Board of Education

2006

Descriptor Term:

PURCHASING AUTHORITY

Descriptor Code:

Business

Issued Date:

08/26/10

Rescinds:

Issued:

The Superintendent and the Chairman of the Shelby County Board of Education shall serve as the purchasing agent for the Shelby County Schools system.

The Board shall authorize the Purchasing Department to purchase and supervise the purchasing of all materials, goods, and supplies for the school system in accordance with state law and good purchasing practices. Purchases shall conform to approved budget.

Shelby County Board of Education

2007

Descriptor Term:

PAYDAY SCHEDULES

Descriptor Code:

Business

Issued Date:

08/26/10

Rescinds:

Issued:

All personnel employed regularly, either full or part-time, shall be paid according to a specific schedule determined annually and published in the school calendar..

Shelby County Board of Education

2008

Descriptor Term:

PROPERTY RECORDS

Descriptor Code:

Business

Issued Date:

08/26/10

Rescinds:

Issued:

The purchasing, receiving, storing, and distribution of necessary supplies, equipment, and services for use in the educational program and for the various auxiliary services represent a significant expenditure in the school budget. These items must be procured efficiently and economically. The measure of efficient, economical purchasing is the degree to which the right items are provided in the right quantity to the right place at the right time and at the right price.

The function of the purchasing office is to serve the educational program by providing the necessary supplies, equipment, and services. The Board of Education declares its intention to purchase competitively without prejudice and to seek maximum educational value for every dollar expended. The acquisition of services, equipment, and supplies is centralized in the Purchasing Department, which functions under the Executive Committee of the Board of Education.

3000

SUPPORT SERVICES

Emergency Response and Crisis Management	3001
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Shelby County Board of Education

3001

Descriptor Term:

**EMERGENCY RESPONSE AND
CRISIS MANAGEMENT**

Descriptor Code:

Support Services

Issued Date:

07/27/11

Rescinds:

Issued:

The district will have and implement as needed a comprehensive emergency response/crisis management plan that focuses on time-limited, problem-focused interventions to identify, confront and resolve crises, restore equilibrium, and support appropriate adaptive responses.

Each school will have an individual emergency response/crisis management plan aligned with the district plan and designed to address the uniqueness of that school.

Each school and facility will have a crisis response team to implement appropriate action from the crisis management plan.

Each school and facility shall provide access to an Automated External Defibrillator (AED). AED devices purchased for use in Shelby County Schools by emergency response team responders and SCS personnel must be pre-approved. Donated equipment must also meet the specifications provided by the system.

Each placement of an AED shall be supervised and endorsed by a physician with an unrestricted license to practice medicine or osteopathy in the State of Tennessee. When a school receives its first AED, it shall place the AED in a location that may be accessed readily from any area of the school, which may include those areas of the school that are used for physical education or activity. Subsequently, additional AEDs shall be placed in locations that are accessible during emergency situations. AEDs shall not be placed in an office that is not accessible to any person who might need to use the AED or in any location that is locked during times that students, parents or school employees are present at school or school events.

Shelby County Board of Education

3002

Descriptor Term:

EMERGENCY CLOSINGS

Descriptor Code:

Support Services

Issued Date:

07/27/11

Rescinds:

Issued:

The Superintendent is empowered to close the schools or to dismiss them early in the event of hazardous weather or other emergencies which threaten the health or safety of students and personnel. Such action is never to be taken lightly for public education is one of the principal functions of the community and should be maintained at a normal level except in extreme circumstances. When this regularity of operation ceases, serious difficulties are caused and the welfare of children may be jeopardized. Schools may not properly be closed merely to avoid inconvenience. While it may be prudent, under circumstances to excuse all students from attending school, to delay the opening hour, or to dismiss students early, the administration has the responsibility to see that as much of the administrative, supervisory and operational activity is continued as may be possible. Therefore if conditions affect only a single school, only that school shall be closed.

In making the decision to close schools, the Superintendent or his or her designee shall consider many factors, including the following principal ones relating to the fundamental concern for the safety and health of children:

1. Weather conditions both existing and predicted;
2. Driving, traffic and parking conditions, affecting public and private transportation facilities;
3. Actual occurrence or imminent possibility of any emergency condition which would make the operation of schools difficult or dangerous;
4. Inability of teaching personnel to report for duty, which might result in inadequate supervision of students.

The Superintendent shall weigh these factors and shall take action to close the schools only after consultation with traffic and weather authorities, local principals, and school officials for neighboring districts. Students, parents, and staff shall be informed early in each school year of the procedures which will be used to notify them in case of emergency closing. When schools are closed for emergency reasons, staff members shall comply with Board policy in reporting for work.

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4 A teacher, including a teacher on pre-approved leave or other type of leave, shall not be
5 charged with a day of leave for any day on which the teacher's school or the school district
6 is closed due to natural disaster, inclement weather, serious outbreak or contagious illness,
7 or other unexpected event.
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9 In the event schools are closed due to inclement weather or other calamity, all extra-
10 curricular activities scheduled for those days will be canceled or postponed.
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Shelby County Board of Education

3003

Descriptor Term:

**AUTHORIZED USE OF
SCHOOL-OWNED MATERIALS**

Descriptor Code:

Support Services

Issued Date:

08/26/10

Rescinds:

Issued:

No school equipment may be used for other than school purposes. The Board shall permit school equipment to be loaned to staff members when such use is directly or peripherally related to their employment, and to students when the equipment is to be used in connection with their studies or extracurricular activities. Proper controls shall be established to assure the lender's responsibility for, and return of, all such equipment.

School owned equipment may not be loaned nor used by school system employees for personal use or personal gain, unless specifically provided for by individual contract, Board Policy or written Procedure.

3004	Shelby County Board of Education		
	Descriptor Term:	Descriptor Code:	Issued Date:
	STUDENT TRANSPORTATION SERVICES REGULATION	Support Services	07/27/11
	Rescinds:	Issued:	

An alternate stop waiver allowing a student to be picked up or delivered to a location other than his/her residence may be made under the following conditions:

1. The student's assigned bus will not be changed.
2. A legitimate need, as determined in the sole discretion of the Principal, must exist and there must be reasonable assurance that provisions are made for the safety of the student.
3. The request for a waiver must be made in writing by the parent/guardian at the school and be made on a permanent basis, not subject to constant and/or frequent changes.
4. The principal is the designated authority to evaluate and approve or deny a request for a waiver based on the stated hardship.

T.C.A. § 49-6-2118

T.C.A. § 49-6-2101

Shelby County Board of Education

3005

Descriptor Term:

SCHOOL-BUS SAFETY PROGRAM

Descriptor Code:

Support Services

Issued Date:

08/26/10

Rescinds:

Issued:

The safety and welfare of student riders shall be the first consideration in all matters pertaining to transportation. Emergency evacuation drills shall be conducted regularly throughout the school term to thoroughly acquaint student riders with procedures in emergency situations.

All vehicles used to transport children shall be maintained in such condition so as to provide safe and efficient transportation service with a minimum of delays and disruption of such service due to mechanical or equipment failure. Buses shall be replaced at such intervals so as to provide good equipment at all times.

Video Cameras on Transportation Vehicles

The Board as a part of the District's ongoing program to improve discipline and ensure the health, welfare, and safety of all students and persons riding on school transportation vehicles with students, may utilize video cameras on some or all school vehicles transporting students to and from curricular and extracurricular activities.

Video surveillance shall be used to promote the order, safety, and security of students, staff, and property. The video camera does not replace the authority and responsibility of the bus driver or school district administrative staff.

Video cameras will be used to monitor student behavior. Such monitoring is to supplement and not replace written reports prepared by bus drivers and school administrators. Any images of students recorded on videotape are subject to the confidentiality accorded student records under applicable laws, board policy, and administrative regulations.

Video tapes may be reused and the video recording created under this policy may be recorded over at the discretion of the Director of Transportation.

T.C.A. § 49-6-2101

T.C.A. § 49-6-2109

T.C.A. § 49-6-2118

Tennessee State Board of Education Rule 0520-1-5-.01

Shelby County Board of Education

3006

Descriptor Term:

**SCHOOL NUTRITION
MANAGEMENT**

Descriptor Code:

Support Services

Issued Date:

08/26/10

Rescinds:

Issued:

The Shelby County Schools system will operate a School Meal Program in each school under the supervision of the principal. The Shelby County Board of Education will employ a cafeteria manager and other support personnel according to the average meals served per day. All school meal programs will operate according to the guidelines established by the USDA, State Department of Education, School Nutrition Department, and the Shelby County Board of Education.

School Nutrition shall include hot lunches and breakfasts, where applicable, through participation in the National School Meal Program.

As required for participation in the National School Meal Program, the Board agrees to the following regulations:

1. That a reimbursable meal be made available for students.
2. That a free or reduced price meal be provided to students who meet USDA eligibility guidelines for meal benefits.

Students shall also be permitted to bring their lunches from home and to purchase beverages and incidental items if provided.

Vending machines located in the dining area must have the approval of the Department of School Nutrition to guarantee compliance with applicable state and federal laws, rules, and regulations. The proceeds from the vending machines must be deposited into the school's nutrition account.

Shelby County Board of Education

3007

Descriptor Term:

STUDENT WELLNESS

Descriptor Code:

Support Services

Issued Date:

08/26/10

Rescinds:

Issued:

The Shelby County Schools system is committed to providing a school environment that enhances learning and the development of lifelong wellness practices.

To accomplish these goals:

- School Nutrition Programs shall comply with federal, state and local requirements.
- School Nutrition Programs are accessible to all children.
- Sequential and interdisciplinary nutrition education is provided and promoted.
- Patterns of meaningful physical activity connect to students' lives outside of physical education.
- All school-based activities are consistent with local wellness policy goals.
- All foods and beverages made available on campus (including vending, concessions, a la carte, student stores, parties, and fundraising) during the school day are consistent with the current Dietary Guidelines for Americans.
- All foods made available on campus adhere to food safety and security guidelines.
- The school environment is safe, comfortable, pleasing, and allows adequate time and space for eating meals.

SCHOOL HEALTH ADVISORY COUNCIL

An advisory council shall be established to serve as a resource to school sites for implementing policies and procedures. The council shall consist of individuals representing the school and community, including parents, students, teachers, school administrators, school board members, health professionals, school food service representatives, and members of the public. The primary responsibilities of the council include but are not limited to:

1. Developing, implementing, monitoring, reviewing and as necessary, making recommendations as to physical activity and nutrition policies;
2. Ensuring that all schools within the district create and implement an action plan related to the modules 1, 3 and 4 from the School Health Index;
3. Ensuring that school level results include measures of progress on each indicator of the School Health Index.

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3 The Shelby County Board of Education will consider the recommendations of the School
4 Health Advisory Council in making any policy changes that affect a healthy learning
5 environment.
6

7 **COMMITMENT TO NUTRITION**

8 All schools shall offer school meal and snack programs with menus that meet the patterns
9 and nutrition standards established by the U.S. Department of Agriculture and State
10 Board of Education's Minimum Nutritional Standards For Individual Food Items Sold Or
11 Offered For Sale To Pupils In Pre-K Through Eight. Each school principal or his designee
12 shall be responsible for overseeing the school district's compliance with the State Board
13 of Education Rules and Regulations for sale of food items in the school district and that
14 this Wellness Policy is being fulfilled by all schools in the district. He/she shall register
15 with the Department of Education.
16

17 **EVALUATION OF EFFECTIVENESS OF NUTRITION PROGRAM**

18 The Shelby County Board of Education shall monitor the effectiveness of the school
19 nutrition program within a wide-range of student constituency groups. Factors to be
20 considered may include, but are not limited to:
21

- 22
- 23 1. Participation rates in school meal programs;
- 24 2. Student satisfaction surveys to monitor the effects of consumption of healthy
- 25 snacks on children's health, behavior, and school performance and to monitor
- 26 satisfaction with snack choices;
- 27 3. Parent satisfaction surveys to monitor the effects of consumption of healthy snacks
- 28 on children's health, behavior, and school performance and to monitor satisfaction
- 29 with snack choices;
- 30 4. Frequency and types of health problems noted on school nurse logs;
- 31 5. Frequency and types of mental health and behavioral problems noted on counselor
- 32 logs;
- 33 6. Incidence of student behavior infractions;
- 34 7. Teacher surveys of student's classroom behavior, attention span, and memory; and
- 35 8. Test scores.
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4 **PHYSICAL ACTIVITY**

5 The Shelby County Board of Education recognizes that physical activity is extremely
6 important to the overall health of a child. Schools shall support and promote physical
7 activity. Physical activity may be integrated into any areas of the school program.
8 Physical Education classes shall be offered with moderate to vigorous physical activity
9 being an integral part of the class. Students shall be encouraged by staff whenever
10 possible to be physically active.

11
12 Supervised recess should be offered daily to all elementary schools children.
13

14 **CURRICULUM**

15 All applicable courses of study should be based on Lifetime Wellness Curriculum
16 Standards, the K-8 Healthful Living Curriculum Standards, and the K-12 Physical
17 Education Curriculum Standards.
18

19 **SCHOOL HEALTH INDEX**

20 Each school shall have a School Health Index. The State Board of Education Policy on
21 Implementation of School Health Index shall be followed by each school within the
22 district.
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26 **Tennessee State Board of Education Rule § 0520-01-06**
27 **Tennessee State Board of Education Policy No. 4.206**
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Shelby County Board of Education

3008

Descriptor Term:

**FREE AND REDUCED PRICE
FOOD SERVICES**

Descriptor Code:

Support Services

Issued Date:

08/26/10

Rescinds:

Issued:

The System shall take part as feasible in the National School Lunch and other food programs which may become available to assure that all children receive proper nourishment. In accordance with the guidelines for participation in these programs, and in accordance with the wishes of the Board, no child who a teacher believes is improperly nourished shall be denied a free lunch, or other food, simply because proper application has not been received from his or her parents or guardian.

Shelby County Board of Education

3009

Descriptor Term:

MAIL AND DELIVERY SERVICES

Descriptor Code:

Support Services

Rescinds:

Issued Date:

07/27/11

Issued:

Political materials shall not be distributed through the Shelby County Board of Education's mail system or through any Shelby County Board of Education owned electronic devices, including, but not limited to, telephones, cellular phones or other wireless telecommunication devices, personal digital assistants, computers, electronic mail, instant messaging, text messaging and websites.

Shelby County Board of Education

3010

Descriptor Term:

**PRINTING AND DUPLICATING
SERVICES**

Descriptor Code:

Support Services

Issued Date:

08/26/10

Rescinds:

Issued:

The Board will make available the equipment necessary for staff to carry out their assignments. This equipment will include machines for the reproduction of materials.

The Board recognizes, however, that the 1976 federal copyright law, PL 94-553, makes it illegal to duplicate copyrighted materials without permission, except for certain exempt purposes. The Board further realizes that severe penalties are provided for unauthorized copying of audio, visual, or printed materials unless the copying falls within the bounds of the "fair use" doctrine. The Board therefore informs all personnel that unauthorized reproduction and/or use of copyrighted materials is illegal and unethical, and that violations of the copyright laws may result in criminal or civil suits and/or suspension or dismissal from employment in the system.

To protect staff members and the Shelby County Schools against legal redress for alleged violations of the copyright laws, the person making the reproduction must be certain that the action is within the law. When an individual is not certain, he or she should contact the supervisor of media services in order to ascertain whether copying falls under "permitted use." If it does not, the supervisor of media services may request permission to reproduce materials from copyright holders.

4000

PERSONNEL

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Fringe Benefits	4004
Payroll Deductions	4005
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Shelby County Board of Education

4001

Descriptor Term:

**EQUAL EMPLOYMENT
OPPORTUNITY COMPLIANCE**

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

Shelby County Schools shall not discriminate in recruitment or employment on the basis of race, color, religion, sex, creed, age, disability or national origin. The District shall promote equal opportunities through vigorous recruiting practices as an integral part of Shelby County Schools' personnel policy and practice in the employment, development, advancement and treatment of employees and applicants of Shelby County Schools.

Shelby County Schools shall not on the basis of race, color, religion, sex, creed, age, disability or national origin discriminate against any qualified individual with respect to the employment relationship, including job application procedures, hiring, advancement, compensation, job training and other terms, conditions and privileges of employment.

Violations of this policy shall be reported to the Assistant Superintendent of Human Resources or if it is alleged that the Assistant Superintendent of Human Resources violated this policy, the notification of violation should be reported to the Superintendent.

Shelby County Board of Education

4002

Descriptor Term:

STAFF ETHICS

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

Each employee serves as the representative of the Board. The Board is judged by its employees. All employees should strive to maintain standards of ethical behavior which will not detract from the educational process.

Standards of ethical behavior expected, but not limited to, include the following:

1. To maintain a two-way communication with pupils, parents, staff members and community.
2. To solve problems which arise in a just and equitable manner.
3. To grow in skill and understanding in the job assigned.
4. To interpret the system's goals and operations to the public.
5. To represent the Board in such a manner that criticism is not directed at the Board.
6. To refrain from any activities or dealings which will personally enhance the employee to the detriment of the system.
7. To abide by established procedures to air complaints and grievances.
8. To follow all policies and administrative rules.
9. To maintain a professional relationship with students, parents, staff members, and community.
10. To maintain confidentiality of records as required by school system policy, state and federal laws.

Failure to meet the aforementioned standards of ethical behavior may result in disciplinary action of the employer up to and including dismissal.

Shelby County Board of Education

4003

Descriptor Term:

CONFLICT OF INTEREST

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

The employees of Shelby County Schools shall avoid any engagement in which a conflict of interest could interfere with the duties and responsibilities designated by the Shelby County Board of Education and which would reflect in a manner detrimental to the system.

1. Any pecuniary transaction, directly or indirectly, by a professional employee or member of the Board of Education concerned with supplying books, maps, school furniture, and/or other apparatus to the school system of employment or to act as agent for anyone is expressly forbidden by statute.
2. All employees, including non-faculty employees and school volunteers, are prohibited from promoting and/or requiring current or prospective students to participate on club teams, AAU teams, or any other program or event in which the employee/volunteer is compensated.
3. Employees, including non-faculty coaches, may not provide individualized tutorial or other kinds of coaching/instruction for compensation to any student who is a current or prospective student in the school in which the employee/non-faculty coach is assigned to work.
4. All employees, non-faculty employees, and school volunteers are prohibited from soliciting, referring, or encouraging any student to participate or enroll in any program, school, or university in exchange for any type of personal compensation.
5. Students and employees are not allowed to sell any item or solicit money for personal gain or profit at any time on school property or at any off-campus school event.

T.C.A. § 49-6-2003

Shelby County Board of Education

4004

Descriptor Term:

FRINGE BENEFITS

Descriptor Code:

Personnel

Rescinds:

Issued Date:

08/26/10

Issued:

In addition to the basic salary, the Board recognizes that certain benefits for full-time employees are an integral part of the total compensation.

Life Insurance

All regular employees under regular contract are eligible to participate in the group life insurance plan. Participation is mandatory for all new professional employees, under regular contract, who must complete the application form at the time of initial processing.

The amount of life insurance to which the employee is entitled is determined by the employee's annual earnings for hourly employees and contractual amount for salaried employees and is equal to two (2) times this amount. Any insurance not in exact multiple of \$1,000.00 is adjusted to the next higher \$1,000.00. There is an equal amount of Accidental Death and Dismemberment insurance coverage. This plan is contributory whereas the Board pays the entire cost.

A physical examination for life insurance is not required of the employee if formal application for insurance coverage is made within thirty (30) days of employment. After the 30-day period, the company requires a statement of health to be forwarded to the home office for approval before employee can be insured. The company may also require a physical before approval of a late registrant's application.

The amount of life insurance for an active employee who reaches age 65 will be reduced by 35% until retirement. The amount of life insurance then in force for all covered employees reduces to 50% raised to the next higher \$1,000.00, if not an exact multiple of \$1,000.00. This coverage can be converted to an individual policy if employment is terminated before retirement.

Dependent Life Insurance

All employees are eligible to participate in a Group Dependent Life Insurance Program. Participation is optional. Eligible dependents are defined as: the employee's husband or wife (except if legally separated) and unmarried children from fourteen (14) days of age to age nineteen (19). Dependent children who are full time college students can continue in the plan until age 23.

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2 Life insurance for the employee's spouse is available in amounts from \$5,000 to
3 \$150,000. Any amount over \$20,000 requires acceptable review of a Statement of Health.
4 The amount of the life insurance for each dependent child varies based on the child's
5 age with a maximum of \$5,000. Dependent life insurance is not available to retirees.
6

7 8 **Tax Shelter Annuities Plans**

9 Tax shelter annuities are available for all employees who normally work more than 20
10 hours per week. These benefits are handled through the Employee Benefits Office.
11

12 13 **Accident Insurance (Student Policy)**

14 All regular employees are eligible to participate in the Student's Accident Insurance
15 Plan endorsed by the Shelby County Board of Education. This insurance is available
16 near the beginning of each school year. The employee will pay the entire cost in one
17 annual payment at the local school. Employees not assigned to a school and
18 substitutes may inquire about this insurance through the Employees Benefits Office.
19

20 21 **Health Care Benefits**

22 Shelby County Board of Education employees, except part-time and interim teachers,
23 have the option of participating in one of the group health care programs provided by
24 the Shelby County Schools PPO Plan (Cigna) or the Shelby County Schools POS Plan
25 (Cigna). The plans are available with either family or individual coverage. As
26 contributory plans, the Board and the employee share the premium cost. Premiums will
27 be paid by payroll deduction in twenty (20) biweekly payments. The annual Open
28 Enrollment period is the only time application or changes can be made unless there is a
29 Qualifying Life Event, as defined by the Shelby County Schools Flexible Benefits Plan.
30 New employees have thirty (30) days after employment to enroll.
31

32 33 **Insurance After Retirement**

34 **Health Care Plans**

35 Unless eligible to receive Medicare health insurance benefits, upon retirement retiring
36 employees on behalf of themselves and their dependents may continue to participate in
37 the same health insurance programs including all plan options (hereinafter the Shelby
38 County Schools Board of Education Health Insurance Programs) that are currently
39 being offered to active Shelby County Schools employees; provided that the retiree has
40 completed fifteen (15) years of service with Shelby County Schools or a combination of
41 ten (10) years of outside service credit as reflected in T.C.R.S. or Tennessee Department
42 of Education records plus five (5) years of service with Shelby County Schools. The
43 Shelby County Board of Education (the Board) shall contribute the same percentage of
44 annual health insurance premiums for retirees and their dependents as that which the
45 Board contributes on behalf of active employees and their dependents who participate
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2 in the Shelby County Schools Board of Education Health Insurance Programs. The
3 annual health insurance premium costs for the Shelby County Schools Board of
4 Education Health Insurance Programs and the coverage offered under the Programs
5 shall be the same for all active Shelby County Schools Board of Education employees
6 and their dependents and retirees of the Shelby County Board of Education and their
7 dependents who have not become eligible to receive Medicare health insurance
8 benefits.
9

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11 When a retiree or their covered dependents becomes eligible to receive Medicare health
12 insurance benefits, the retiree and their covered dependents that have become eligible
13 to receive Medicare health insurance benefits shall no longer be eligible to participate in
14 the Shelby County Schools Board of Education Health Insurance Programs that are
15 currently being offered to actual Shelby County Schools' employees and their
16 dependents. However, Shelby County Schools shall pay on behalf of those retirees and
17 their dependents that have become eligible to receive Medicare health insurance
18 benefits the same percentage of premium costs for the supplemental health insurance
19 policy as they pay for health insurance premiums for active Shelby County Schools'
20 employees and their dependents who participate in the Shelby Schools County Board of
21 Education Health Insurance Programs. The amount and coverage of the supplemental
22 health insurance policy shall be determined by the Shelby County Schools Board of
23 Education.
24

25
26 If a retiree has become eligible to receive Medicare health insurance benefits and that
27 retiree has dependent coverage, any dependent that has not become eligible to receive
28 Medicare health insurance benefits may continue to participate in the Shelby County
29 Schools Board of Education Health Insurance Programs that are currently being offered
30 to dependents of active Shelby County Schools' employees. The Shelby County
31 Schools Board of Education shall contribute the same percentage of health insurance
32 premiums for those retiree dependents that have not become eligible to receive
33 Medicare health insurance benefits as that which the Board contributes on behalf of
34 dependents of active employees who participate in the Shelby County Board of
35 Education Health Insurance Programs.
36

37 Life Insurance

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39 Upon retirement from active service, as determined by the Board, the amount of life
40 insurance then in force reduces 50% raised to the next higher \$1,000.00, if not an exact
41 multiple of \$1,000.00, with Board contribution percentage being comparable to that of
42 active employees.
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3 Employees must complete fifteen (15) years of service with ten (10) years of outside
4 service credit as reflected in T.C.R.S. or Tennessee Department of Education records
5 applying towards the fifteen (15) years to maintain the life insurance as a retiree.
6

7 All employees with less than fifteen (15) years' service at retirement will have the option
8 of converting the coverage through the individual insurance company to a straight
9 policy. This conversion must be filed for within thirty (30) days after insurance
10 termination with the Shelby County Schools Board of Education. The coverage will be
11 changed when it is converted but details on this will be furnished by a representative of
12 the insurance company when contract is made.
13

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15 **Dependent Life**

16 Dependent life insurance as part of the retirement benefit is not available upon retirement.
17 (The word "dependents" is as defined by the current Shelby County Schools Board of
18 Education health insurance program.)
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Shelby County Board of Education

4005

Descriptor Term:

PAYROLL DEDUCTIONS

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

Deductions made from an employee's paycheck are made only upon proper written authorization of the employee or an order from the courts.

1. Deductions required by Federal Government:
 - a. Income tax withholding;
 - b. Social Security (O.A.S.D.I.); includes F.I.C.A. and Medicare
2. Deductions required by the Board:
 - a. Tennessee Consolidated Retirement;
 - b. Group Life Insurance
3. Garnishments and Wage Attachments - Upon notification from the Courts, an amount specified by the Court will be deducted from an employee's check. This amount will be deducted each pay period and sent to the Court until such debt is paid in full by the employee.
4. Deductions authorized by the Employee:
 - a. Shelby County Schools Health Insurance;
 - b. Flexible Spending Account;
 - c. Memphis Area Teachers' Credit Union;
 - d. AFSCME dues;
 - e. United Way;
 - f. Supplemental Group Life Insurance;
 - g. Professional Association Dues: NEA, TEA, SCEA;
 - h. Other employer sponsored group insurance plans;
 - i. Approved 403(b) plan;
 - j. Approved deferred compensation plan; and
 - k. Payment for loss, destruction or theft of school or school board property which has been issued to the employee.

Shelby County Board of Education

4006

Descriptor Term:

MEDICAL REQUIREMENTS

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

The Board recognizes its responsibility to protect the health of its employees as well as to uphold their individual rights.

All employees shall present a doctor's statement of health on forms provided by the Human Resource Department upon initial employment. This health statement must include a certificate of freedom from infectious tuberculosis, contagious or communicable diseases in such form as might endanger the health of students. Certificates and examinations will be required thereafter at intervals determined by the State Department of Public Health and approved by the State Commissioner of Education.

Bus drivers are required to have an annual physical examination.

T.C.A. § 49-5-404

T.C.A. § 49-2-203

Shelby County Board of Education

4007

Descriptor Term:

**BLOODBORNE PATHOGEN
EXPOSURE CONTROL**

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

The Shelby County Board of Education follows the rules and regulations of OSHA Standard 29 C.F.R. 1910.1030. Measures, outlined in the Standard and needed to eliminate or minimize the likelihood of employee exposure to bloodborne pathogens, especially HBV and HIV will be instituted as follows:

1. Development of a Bloodborne Pathogen Exposure Control Plan;
2. Training of all employees in universal precautions;
3. Determination of employee exposure risk status;
4. In-depth training of employees determined to be at risk for occupational exposure to bloodborne pathogens and the use of measures and equipment to reduce their risk for exposure;
5. Institution of engineering controls and work procedures to minimize risk;
6. Provision of personal protective equipment to protect employees during exposure incidents; and
7. Provision of HBV vaccination and when required boosters to employees at risk for occupational exposure to bloodborne pathogens during discharge of their normal duties and responsibilities.

The Shelby County Board of Education will provide post exposure medical evaluation for employees exposed to bloodborne pathogens because of contact with blood or other potentially infectious materials during an exposure incident. Further medical treatment, medical prophylaxis or counseling indicated by the post exposure medical evaluation will be supplied by the Shelby County Board of Education.

Required training will be repeated on an annual basis and the Exposure Control Plan will be reviewed and updated once a year.

Shelby County Board of Education

4008

Descriptor Term:

**ACQUIRED IMMUNE DEFICIENCY
SYNDROME**

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

PERSONNEL

No school system employee diagnosed with HIV infection or AIDS shall be prevented from continuing employment based solely on this diagnosis. No employee shall be required to have any blood tests or medical consultation to determine HIV status. This does not preclude school officials from requiring an employee to undergo an examination when another communicable illness is suspected.

When it becomes known to the local education agency (LEA) that an employee has tested positive for HIV or has been diagnosed with AIDS or HIV-related illness, an evaluation team, on a case-by-case basis, will be convened to determine employment status and conditions. A review of employment conditions will be made on a case-by-case basis by a team that will include the Superintendent or his designee, a physician or nurse designated by the Regional Health Officer, the employee, and the employee's physician.

The team will review the employee's medical records to determine if, by reason of the disease, the employee is medically capable of performing his/her responsibilities. As may be required by federal or state law, the school system will make reasonable accommodation to enable the employee to perform employment duties.

No discrimination, disciplinary action or other adverse personnel action will be taken against the employee solely on the basis of HIV infection or AIDS. Action may be taken only if the employee is disabled and the disability interferes with the employee's ability to perform activities involved in employment after reasonable accommodations to enable the employee to perform these duties have been attempted.

PERSONNEL

Liability and Non-discrimination

Decisions on participation in activities which may be medically hazardous to persons with AIDS will be made on a case-by-case basis by the evaluation team which was used to determine the employment status of the LEA employee.

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3 In accordance with current law and regulations, the school system will take all
4 reasonable actions to prevent any diagnosed employee from being subjected to adverse
5 or discriminatory treatment.
6

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8 Safety

9 An employee with AIDS, who is known to have been exposed to a contagious disease,
10 will be notified by the Superintendent or his designee.
11

12 To prevent and manage exposure in the workplace, all school system employees will
13 receive in-service training and education annually regarding HIV-AIDS and OSHA's
14 Bloodborne Pathogens Standard.
15

16 The principal and/or supervisor will ensure that an accident report is filed for all
17 accidents. The report will include the person's name, date of the accident, an explanation
18 of the accident, and care used in treating the individual. These reports will be kept in a
19 file in the principal's and/or supervisor's office for a minimum of one year.
20

21 Communication

22 HIV-AIDS information will remain on a "need to know" basis. The Superintendent or his
23 designee will be responsible for all communications on AIDS.
24

25 Annually, the Superintendent shall ensure that all employees, including newly hired
26 staff, receive current HIV training to include:
27

- 28 • HIV epidemiology.
- 29 • Methods of treatment and prevention;
- 30 • Bloodborne pathogens;
- 31 • Universal precautions;
- 32 • Psychological and social aspects of HIV;
- 33 • Related federal and state laws and policies; and
- 34 • School procedures and policies regarding HIV policies regarding HIV-related
35 issues.
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38 **Tennessee State Board of Education Policy No. 5.300**
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Shelby County Board of Education

4009

Descriptor Term:

**SAFETY SENSITIVE EMPLOYEES
DRUG AND ALCOHOL POLICY**

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

The Shelby County Board of Education recognizes that our employees are our greatest asset. Our employees are the indispensable key to our goal of providing the best possible education program for our students. To achieve our goal, and to maximize the skills and talents of our employees, it is important that every employee of our school system understand the dangers of drug and alcohol abuse and be aware of the new federal requirements concerning substance abuse. This policy statement should clarify our position on employee drug and alcohol use.

POLICY OBJECTIVES

1. To create and maintain a safe, drug-free working environment for all employees.
2. To encourage any employee with a dependence on, or addiction to, alcohol or other drugs to seek help in overcoming the problem.
3. To reduce problems of absenteeism, tardiness, carelessness and/or other unsatisfactory matters related to job performance.
4. To reduce the likelihood of incidents of accidental personal injury and/or damage to pupil transportation, students, or property.
5. To comply with Federal laws, specifically the requirements of the Omnibus Transportation Employee Testing Act of 1991.
6. To reduce the likelihood that school property will be used for illicit drug activities.
7. To protect the reputation of the school system and its employees within the industry.

Substance abuse is a serious threat to the school system, its employees and children. Though the percentage of substance abusing employees may be relatively small, practical experience and research indicate that appropriate precautions are necessary. It is the belief of the Board that the benefits derived from the policy objectives outweigh the potential inconvenience to employees. The Board earnestly solicits the understanding and cooperation of all employees in implementing this policy.

The Board must insist that all employees report to work without any alcohol or illegal or mind altering substances in their systems. The Board also prohibits employees using, possessing, manufacturing, distributing or making arrangements to distribute illegal drugs while at work or on school system property.

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3 Further, outside conduct related to substance abuse which affects an employee's work
4 or reflects badly on the Board is prohibited. Employees must inform their supervisor
5 when they are legitimately taking medication, which may affect their ability to work, in
6 order to avoid creating safety problems and violating the Drug and Alcohol Policy.
7

8 9 **ENFORCEMENT**

10 In order to enforce this policy, the Board reserves the right to require all employees
11 (defined as all employees subject to the Omnibus Transportation Employee Testing Act
12 of 1991) to submit, at any time an employee is on duty, to drug tests to determine the
13 presence of prohibited substances. The School Board is required to develop, implement
14 and enforce a drug and alcohol policy for their employees as a condition of compliance
15 with the Omnibus Transportation Employee Testing Act of 1991.
16

17 Pursuant to Board policy and regulations, employees will undergo testing at scheduled
18 pre-employment physical examinations; where the Board has probable cause to believe
19 an employee has violated its Alcohol and Drug Policy; and on a random basis without
20 advance notice. Employees are also required to report all injury or damage related
21 accidents involving school property or personnel or occurring during school-related
22 activities and submit to screening within 32 hours of a reportable accident. Employees
23 who return to work following rehabilitation will be required to undergo random testing in
24 addition to the general Board testing requirements.
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27 The Board also reserves the right to search desks, cabinets, tool boxes, vehicles,
28 including personal vehicles brought on the school system's property, bags or any other
29 property at the school or in vehicles when the Board has reasonable cause to believe an
30 employee has violated its Alcohol and Drug Policy.
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32 Violation of this policy, manifested by testing positive, may subject the employee to
33 discipline, up to and including discharge. Refusal to cooperate with the School Board in
34 any test investigation will result in discipline, up to and including discharge as
35 appropriate under the applicable federal and state laws.
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37 Any questions should be directed to the Drug Program Coordinator assigned by the
38 Board of Education.
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Shelby County Board of Education

4010

Descriptor Term:

HARASSMENT OF EMPLOYEES
(SEXUAL, RACIAL, ETHNIC, RELIGIOUS)

Descriptor Code:

Personnel

Issued Date:

08/25/11

Rescinds:

Issued:

We strive for a working environment for employees that is free from sexual, racial, ethnic, and religious harassment. It shall be a violation of this policy for any employee to participate in harassment activities exhibited through disparaging conduct or communication that is sexual, racial, ethnic, or religious in nature. The following guidelines are set forth to ensure an appropriate working environment.

Harassment of employees will not be tolerated. Harassment is defined as conduct, advances, gestures or words either written or spoken to include those of a sexual, racial, ethnic, or religious nature which:

1. Unreasonably interfere with an individual's work or performance;
2. Create an intimidating, hostile or offensive work environment;
3. Imply that submission to such conduct is made an explicit or implicit term of employment; or
4. Imply that submission to or rejection of such conduct will be used as a basis for an employment decision affecting the harassed employee.

There will be no retaliation against any person who reports harassment or participates in an investigation. However, any employee who refuses to cooperate or gives false information during the course of any investigation may be subject to disciplinary action. The willful filing of a false report will itself be considered harassment and will be treated as such.

Alleged victims of sexual, racial, ethnic, or religious harassment shall immediately report these incidents. This report should be made to the immediate supervisor except when the immediate supervisor is the offending party. If the immediate supervisor is the offending party, the report may be made to the Federal Rights Coordinator at 160 South Hollywood, Memphis Tennessee 38112 - (901) 321 - 2500.. Allegations of harassment shall be promptly and fully investigated. An oral complaint may be submitted, however, such complaint must be reduced to writing to ensure a more complete investigation. The complaint should include the following information:

- Identity of the alleged victim and the person accused;
- Location, date, time and circumstances surrounding alleged incident;
- Description of what happened;
- Any other evidence available.

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3 After a complete investigation, if the allegations are substantiated, immediate and
4 appropriate corrective or disciplinary action shall be initiated. A school representative or
5 Federal Rights Coordinator will meet with and advise the complainant regarding the
6 findings, corrective measures, and/or disciplinary action. The investigation and
7 response to the complainant will be completed within 20 school days.
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10 If the complainant is not in agreement with the findings of fact as reported by the
11 school representative or Federal Rights Coordinator, an appeal may be made, within five
12 (5) work days of receiving notification of the findings, to the Superintendent. The
13 Superintendent will review the investigation, make any corrective action deemed
14 necessary, and provide a written response to the complainant. A substantiated charge
15 against an employee may subject such person to disciplinary action up to and including
16 termination.
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18 Building administrators are responsible for ongoing education, formal and informal,
19 regarding this policy and procedure in the building in which they work.
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Shelby County Board of Education

4011

Descriptor Term:

THREATS OF VIOLENCE

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

The Shelby County Board of Education is committed to a safe and orderly educational environment and authorizes the Superintendent and District staff to respond rapidly to any threats, suggestions or predictions of violence that occur on any District-owned property.

There shall be a "zero" tolerance policy for threats of violence. No student, staff, parent/guardian, or any other person shall make any verbal, written or electronically communicated (e-mail) threat, suggestion or prediction of violence against any person or group of persons or to any District-owned facility. Any threat of violence may result in immediate disciplinary action and referral to the appropriate law enforcement agency.

T.C.A. § 20-14-101

Shelby County Board of Education

4012

Descriptor Term:

**DISRUPTION OF THE SCHOOL
OR WORK ENVIRONMENT**

Descriptor Code:

Personnel

Rescinds:

Issued Date:

08/26/10

Issued:

If it is determined by the Superintendent that the continued presence of any employee has caused disruption in the school or work environment, the Superintendent may take appropriate action up to and including transfer, suspension, or termination in order to eliminate or avoid the disruptive or potentially disruptive situation.

T.C.A. § 49-5-510

Shelby County Board of Education

4013

Descriptor Term:

**CELL PHONES / PERSONAL
COMMUNICATION DEVICES**

Descriptor Code:

Personnel

Issued Date:

07/27/11

Rescinds:

Issued:

Except for system wide employees who use a cell phone in the performance of their assigned duties, **all school system employees** must keep personal cell phones and communication devices turned off during the employee's assigned teaching / work time.

Employees may use their cell phone or communication device during their scheduled planning time, assigned lunch / dinner time or designated break time as long as it is not used in the presence of students.

Any employee who believes he or she needs to have his or her device turned on during teaching / work time due to an impending emergency situation must receive prior approval from his or her school Principal / Supervisor.

School officials may, if it has reasonable suspicion to do so, search any cell phone brought onto any SCBE property, which includes but is not limited to parking areas.

Employees of the Shelby County Board of Education shall not contact students via telephone, email, text message, Twitter, social networking websites or other electronic communications, except regarding school related matters.

Discipline: Any employee found to be in violation of this Policy is subject to disciplinary action up to and including termination.

Shelby County Board of Education

4014

Descriptor Term:

ACCIDENTS ON THE JOB

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

The following benefits will be provided for any regular permanent employee including interim teachers under contract, but excluding substitute employees, who are disabled as the direct result of an accident which is suffered in the course of the employee's performing the duties of his/her employment with the Board and is not the result of the employee's negligence.

During the first two (2) months of disability, the employee shall receive 100% of his/her normal pay. After the second month of disability, the employee shall receive 50% of his/her normal pay for the remaining period of disability up to one (1) year.

Disability as used herein shall mean the total inability of the employee to carry out his/her duties. Proof of such disability may be required as deemed proper, including a medical examination by a physician who may be selected by the Board in which event the expense of such examination shall be borne by the Board.

The Board will pay for necessary and reasonable medical expenses for on-the-job injury sustained by an employee while performing his/her duties, provided such injury has resulted from causes other than personal or professional negligence. Total payments by the Board for said medical expenses incurred following date of injury shall not exceed ten (\$10,000.00) thousand dollars and no medical expense shall be paid for any on-the-job injury in excess of one (1) year. The benefits provided above shall be coordinated with the Board's Hospitalization Insurance Plan, or any other personal insurance plan or group insurance plan if and when the employee has such coverage. In case of such injury, the Board reserves the right to have the employee examined by a physician designated by the Board at such time or times as it may determine in its discretion to assist in ascertaining the nature and extent of disability attributed to the injury.

In order to qualify for any benefits described above, an employee must give notice of the accident to his immediate supervisor on the day the accident occurs unless the employee is prevented by disability from the accident from giving such notice.

Provisions will be made for teachers injured in the course of employment by a violent criminal act as prescribed by law.

T.C.A. § 49-5-714

Shelby County Board of Education

4015

Descriptor Term:

ACCEPTABLE USE POLICY

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

District-Provided Access to Electronic Information, Services, and Networks for Employees

The Shelby County Schools Board of Education recognizes that electronic information resources have transformed the ways information may be accessed and communicated. The Board recognizes that the effective uses of these technologies enhance the quality and delivery of education by providing access to unique resources and opportunities for collaborative work.

The Board supports the use of electronic communications for employees and expects that all faculty and staff will integrate the use of voice, data and video technologies throughout the school system and in the teaching and learning process. When used with proper monitoring and appropriate permissions, the Board further supports the instructional use of educational collaborative and interactive sites.

However, the use of electronic technology is a privilege and is subject to all applicable state and federal laws and policies of the District. The Shelby County Schools Board of Education reserves the right to examine electronic mail messages, files on all types of Shelby County Schools' computers and servers, cache files, website logs and any other information stored or passing through the Shelby County Schools network systems. Employees who use any system provided network service must sign a yearly Acceptable Use Agreement, which will be kept on file. All personal computers and electronic devices are subject to Shelby County Schools Acceptable Use Policy when on Shelby County Schools' property.

Shelby County Schools provides staff with the infrastructure necessary for telecommunications and access to electronic resources for enhancement of job performance. Use of these resources will be permitted as needed for instruction, research, information access, productivity, professional development and communication. District-provided electronic resources such as email accounts, employee and student information management accounts, and workstation/laptop computers are limited to Shelby County Schools employees. Employees utilizing district-provided network access are responsible for professional behavior on-line. Violations of the terms and conditions stated in Procedure 4100 may result in disciplinary action up to and including termination.

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3 The Board authorizes the Superintendent to develop and implement procedures to
4 provide guidance in the appropriate and ethical use of electronic resources for
5 employees.
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Shelby County Board of Education

4016

Descriptor
Term:

APPLICATION AND EMPLOYMENT

Descriptor

Code: **Personnel**

Issued

Date: **07/27/11**

Rescinds

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Issued

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Application

The superintendent is responsible for the establishment and implementation of procedures for the recruitment, the evaluation, and the selection of applicants. An individual desiring a position with Shelby County Board of Education shall make application to the Superintendent on a Shelby County Board of Education approved application.

In a continuing effort to further ensure the safety and welfare of students and staff, the district shall require criminal history records checks and fingerprinting of all applicants for teaching and non-teaching positions upon an offer of employment. Substitute teachers and substitute non-teaching employees shall not be reimbursed. The Board shall reimburse applicants if the applicant accepts a position offered by the system and the background check is satisfactory.

The Board assigns to the superintendent the duty to conduct thorough background checks and to advise all applicants that all hiring decisions and reimbursements for the background checks are contingent upon satisfactory background check results.

Knowingly falsifying information shall be sufficient grounds for termination of employment and shall also constitute a Class A misdemeanor, which must be reported to the District Attorney General for prosecution.

Any person seeking employment as a director of schools, principal, professor, teacher, tutor, instructor or any other person having any responsibility over the custody and care of students is required to make a full disclosure of any prior criminal record and any prior dismissals from employment for cause. A person who fails to make such disclosures commits a Class A misdemeanor. If it is discovered that such person has failed to make such disclosures, he/she shall not be hired or if he/she has been hired, said employee shall forfeit his/her employment.

Professional Employees

The applicant must include a transcript of credits earned at the college or universities attended and references from persons such as previous employers, college professors and supervisors of student teachers. Other information shall include whether such applicant has been dismissed for cause from a school system. If previously employed

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3 by a local board of education, the applicant shall provide evidence of acceptable
4 resignation.
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7 **Employment**

8 It is the policy of Shelby County Schools to employ the strongest candidates
9 available. Shelby County Schools will not discriminate against any applicant on the
10 basis of age, gender, creed, race, national origin or disability in compliance with
11 state/federal law.
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13 No person shall be employed as a teacher or in a non-teaching position who does
14 not comply with provisions of Tennessee Code Annotated regarding employment
15 by a school district.
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17 Upon initial employment of a teacher, the Superintendent shall notify such person,
18 in writing, of the offer and conditions of employment. Upon written notification, the
19 person shall have fourteen (14) days to accept or reject, in writing, the offer of
20 employment. From the date of the written acceptance, such person is considered to
21 be employed and is subject to all rights, privileges and duties of T.C.A. Title 49.
22 Each support employee shall be advised of the required probationary period.
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27 **T.C.A. § 49-5-406**

28 **T.C.A. § 49-5-413**

29 **T.C.A. § 49-5-403; T.C.A. § 49-5-101**

30 **T.C.A. § 49-5-404; Tennessee State Board of Education Rule § 0520-1-3-.08(2)(f)**

31 **T.C.A. § 49-5-202**

32 **T.C.A. § 49-5-405**

33 **T.C.A. § 49-2-301**

34 **T.C.A. § 49-2-303**

35 **Immigration Reform and Control Act of 1986**
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Shelby County Board of Education

4017

Descriptor Term:

TENURED TEACHERS' DISMISSAL POLICY

Descriptor Code:

Personnel

Issued Date:

07/27/11

Rescinds:

Issued:

The Superintendent may suspend a teacher with or without pay at any time that may seem necessary, pending investigation or final disposition of a case before the Board or an appeal. If vindicated or reinstated, a teacher suspended without pay shall be paid the full salary for the period during which the teacher was suspended.

The causes for which a teacher may be dismissed are as follows: incompetence, inefficiency, neglect of duty, unprofessional conduct and insubordination, as defined in T.C.A. § 49-5-501.

When charges are made to the Board against a teacher, charging the teacher with offenses that would justify dismissal of the teacher, the charges shall be made in writing, specifically stating the offense/s that are charged.

If, in the opinion of the Board, charges are of such a nature as to warrant the dismissal of the teacher, the Superintendent shall give the teacher a written notice of this decision, together with a copy of the charges and a copy of a form, which shall be provided by the Commissioner of Education, advising the teacher as to the teacher's legal duties, rights and recourse.

A tenured teacher, who receives notification of charges pursuant to T.C.A. § 49-5-511, may, within thirty (30) days after receipt of the notice, demand a hearing on the charges before an impartial hearing officer selected by the board, as follows:

- (1) The teacher shall give written notice to the Superintendent of the teacher's request for a hearing;
- (2) The Superintendent shall, within five (5) days after receipt of the request, notify the hearing officer who shall be responsible for notifying the parties of his/her assignment to conduct a hearing on the charges. The hearing officer shall direct the parties or the attorneys for the parties, or both, to appear before the hearing officer for simplification of issues and the scheduling of the hearing, which in no event shall be set later than thirty (30) days following receipt of notice demanding a hearing. In the discretion of the hearing officer, all or part of any prehearing conference may be conducted by telephone if each participant has an opportunity to participate, be heard, and to address proof and evidentiary concerns. The hearing officer is empowered to issue appropriate orders and to regulate the conduct of the proceedings;

- (3) All parties shall have the right to be represented by counsel, the opportunity to call and subpoena witnesses, the opportunity to examine all witnesses, the right to require that all testimony be given under oath and the right to have evidence deemed relevant by the submitting party included in the record of the hearing, even if objected to by the opposing party;
- (4) All witnesses shall be entitled to the witness fees and mileage proved by law, which fees and mileage shall be paid by the party issuing a subpoena or calling the witnesses to testify;
- (5) The hearing officer shall administer oaths to witnesses, who testify under oath;
- (6) A record of the hearing, either by transcript, recording, shall be prepared if the decision of the hearing officer is appealed, and all decisions of the hearing officer shall be reduced to writing and included in the record, together with all evidence otherwise submitted;
- (7) On request of either party to the hearing, witnesses may be barred from the hearing except as they are called to testify. The hearing may be private at the request of the teacher or in the discretion of the hearing officer; and
- (8) At appropriate states of the hearing, the hearing officer may give the parties the full opportunity to file briefs, proposed findings of fact and conclusions of law, and proposed initial or final orders. The hearing officer shall within ten (10) days of closing the hearing, decide what disposition to make of the case and shall immediately thereafter give the board and the teacher written findings of fact, conclusions of law and a concise and explicit statement of the outcome of the decision.

If the teacher desires to appeal from a decision rendered in whole or in part in favor of the school system, the teacher shall first exhaust the administrative remedy of appealing the decision to the board of education within ten (10) working days of the hearing officer's delivery of the written findings of fact, conclusions and decision to the employee.

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3 (1) Upon written notice of appeal, the Superintendent shall prepare a copy
4 of the proceedings, transcript, documentary and other evidence
5 presented, and transmit the copy to the board within twenty (20)
6 working days of receipt of notice of appeal.
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9 (2) The board shall hear the appeal on the record and no new evidence
10 shall be introduced. The employee may appear in person or by counsel
11 and argue why the decision should be modified or reversed. The board
12 may sustain the decision, send the record back if additional evidence is
13 necessary, revise the penalty or reverse the decision. Before any
14 findings and decision are sustained or punishment inflicted, a majority
15 of the membership of the board shall concur in sustaining the charges
16 and decision. The board shall render its decision on the appeal within
17 ten (10) working days after the conclusion of the hearing.
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19 (3) The Superintendent shall also have the right to appeal any adverse
20 ruling by the hearing officer to the board under the same conditions
21 required for a teacher's appeal.
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26 **T.C.A. § 49-5-511**

27 **T.C.A. § 49-5-512**
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Shelby County Board of Education

4018

Descriptor Term:

**DISMISSALS OF EMPLOYEES
OTHER THAN TENURED
TEACHERS POLICY**

Descriptor Code:

Personnel

Issued Date:

07/27/11

Rescinds:

Issued:

Non-tenured, Non-Licensed Employees Only:

All persons employed in a position for which no teaching license is required shall be hired at the will of the Superintendent.

The Superintendent may dismiss non-tenured, non-licensed employees for any reason not inconsistent with existing State and Federal laws by providing the employee with written notice of the dismissal. Non-tenured, non-licensed employees shall have ten (10) calendar days from the date of receipt of notice of dismissal to request a hearing before the Superintendent; if the employee does not request a hearing by the tenth (10th) calendar day from the date of notice of dismissal, the employee shall have waived the right to a hearing. If the employee requests a hearing, the Superintendent shall commence a hearing between the employee and the Superintendent. The Superintendent's decision regarding the dismissal shall be final.

Non-tenured Licensed Employees Only:

The Superintendent may dismiss any non-tenured licensed employee under his jurisdiction for incompetence, inefficiency, insubordination, improper conduct or neglect of duty, after giving the employee, in writing, due notice of the charge or charges and providing a hearing.

Prior to dismissal, non-tenured, licensed employees under the Superintendent's jurisdiction shall receive in writing:

- a) Notice of the charge or charges;
- b) An opportunity for a hearing before an impartial hearing officer selected by the Board;
- d) An opportunity to call and subpoena witnesses;
- e) An opportunity to examine all witnesses; and
- f) The right to require that all testimony be given under oath.

- 1 (i) Factual findings and decisions in all dismissal cases involving non-tenured,
2 licensed employees shall be reduced to written form and delivered to the
3 employee within ten (10) working days following the close of the hearing;
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- 5 (ii) Any non-tenured, licensed employee desiring to appeal from a decision
6 rendered in favor of the school system shall first exhaust the administrative
7 remedy of appealing the decision to the Board of Education within ten (10)
8 working days of the hearing officer rendering written findings of fact and
9 conclusions to the employee;
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- 11 (iii) Upon written notice of such appeal being given to the Superintendent, the
12 Superintendent shall prepare a copy of the proceedings, transcript,
13 documentary and other evidence presented, and transmit the copy of the
14 proceedings, transcript, documentary and other evidence presented within
15 twenty (20) working days of receipt of notice of appeal to the Board;
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- 17 (iv) The Board shall hear the appeal on the record and no new evidence shall be
18 introduced. The employee may appear in person or by counsel and argue why
19 the decision should be modified or reversed. The Board may sustain the
20 decision, send the record back if additional evidence is necessary, revise the
21 penalty or reverse the decision. Before any such charges shall be sustained or
22 punishment inflicted, a majority of the membership of the Board shall concur in
23 sustaining the charges. The members of the Board shall render the decision on
24 the appeal within ten (10) working days after the conclusion of the hearing; and
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- 26 (v) The Superintendent shall also have the right to appeal any adverse ruling by the
27 hearing officer to the Board under the same conditions required for a non-
28 tenured, licensed employees' appeal.
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33 **T.C.A. § 49-2-301**
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Shelby County Board of Education

4019

Descriptor Term:

**EVALUATION OF
CERTIFICATED STAFF**

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

To assure a high quality of teacher and administrator performance and to advance the instructional programs of the Shelby County Schools, a continuous program for teacher and administrator evaluation shall be established.

The evaluation process shall include:

1. The development and periodic review of techniques and procedures regarding the evaluation process;
2. The interpretation of the information gained in the evaluation process as it relates to the objectives of the instructional program; and
3. The application of the information gained in the evaluation process.

Such information shall be utilized in planning staff development and inservice training activities designed to improve instruction and increase teacher and administrator competence.

ADMINISTRATORS

Administrators will be evaluated on performance standards under the direction of the Superintendent.

T.C.A. § 49-2-303

T.C.A. § 49-5-5205

**Tennessee State Board of Education Rules § 0520-2-1-.01; § 0520-2-1-.02;
§ 0520-01-03-.03; § 0520-01-03-.04**

Shelby County Board of Education

4020

Descriptor Term:

**EVALUATION OF
CLASSIFIED PERSONNEL**

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

Evaluations of employees are intended to review employee performance on the job. Evaluations shall be performed by the employee's direct supervisor. Every effort should be made to make the evaluation both meaningful and positive to the employee. The evaluator shall take full advantage of the evaluation process to either commend or recommend improvements in the employee's work habits.

A completed evaluation will become a part of the employee's personnel file

Shelby County Board of Education

4021

Descriptor Term:

**PROFESSIONAL LEAVE
(CERTIFICATED PERSONNEL)**

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

A leave of absence for advanced educational study or other sufficient reason may be granted to a tenured certificated employee for a period not to exceed one (1) year without forfeiture of tenure status or fringe benefits. This leave shall be unpaid. At termination of the leave, the employee shall be returned to the same or comparable position provided the employee returns to service within one (1) year and provided said position has not been affected by a reduction in force.

The number of professional leaves granted shall not exceed five (5) in any one fiscal year. All employees intending to take professional leave shall follow applicable Human Resources Procedures for applying for Professional Leave.

LEGISLATIVE LEAVE

All employees who have been elected to state or local law-making bodies shall be granted personal leave or leave without pay for the time those law-making bodies are in official session or while attending official meetings outside the session. In addition, employees shall be granted legislative leave to serve on any board or commission of the state when appointment is made by the Governor or General Assembly. Employees shall not forfeit fringe benefits while on leave.

T.C.A. § 49-5-702

T.C.A. § 49-5-704

T.C.A. § 49-5-713

T.C.A. § 49-5-703

Shelby County Board of Education

4022

Descriptor Term:

MILITARY LEAVE

Descriptor Code:

Personnel

Issued Date:

08/25/11

Rescinds:

Issued:

Employees who are members of the National Guard or any reserve component of the Armed Services of the United States shall be granted a military leave of absence with regular pay for a period not to exceed a total of twenty (20) days in any calendar year plus such additional days as may result from any call to active State duty pursuant to T.C.A. § 58-1-106.

An employee who enlists or is inducted into the Armed Forces for active duty shall be granted a military leave of absence without pay.

At the expiration of the military leave, the employee shall be returned to the position vacated if such position has not been affected by a reduction in force. If the position has been eliminated, every effort will be made to place the employee in a comparable position.

Any person holding a position that requires a teacher's license shall be granted leave for military service and for recuperation of health or visitation of a spouse, child or parent deployed for military duty out of the country who has been granted rest and recuperation without forfeiture of accumulated leave credits, tenure status or other fringe benefits.

Leave for persons holding a teacher's license to visit a spouse, child or parent deployed for military duty out of the country who has been granted rest and recuperation leave shall be granted for no longer than ten (10) days.

Employees intending to take Military Leave or leave for recuperation of health or visitation of a spouse, child or parent deployed for military duty out of the country who have been granted rest and recuperation shall follow applicable Human Resources Procedures for applying for such Leave.

T.C.A. § 8-33-109

T.C.A. § 49-5-702

T.C.A. § 49-5-703

Shelby County Board of Education

4023

Descriptor Term:

JURY DUTY/COURT APPEARANCES

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

The Board of Education shall grant release time with pay to employees who are summoned to serve as a juror in a federal, state, or local court or to employees who are subpoenaed to appear as a witness on behalf of the Board in any court of legal proceeding.

An employee who is summoned to serve as a juror or to appear as a witness on behalf of the Board must notify his or her supervisor and the Human Resource Department as far in advance as possible and must provide a copy of the summons requiring the court appearance.

T.C.A. § 22-4-106

Shelby County Board of Education

4024

Descriptor Term:

**PERSONAL LEAVE
FOR TEACHERS**

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

The State Personal Leave Policy authorizes teachers to earn personal leave at the rate of one (1) day for each half year employed. There shall be a maximum of two (2) days in advance of actually earning the leave, but should the teacher leave service prior to the end of the school year, it would be necessary to make an adjustment in the final check. This leave may be requested on a one-half day basis. Any Personal Leave day which is not taken during the current school year automatically converts to sick leave for the following school year.

All certificated employees who annually earn vacation/personal leave days based upon years of service in the Shelby County Schools system shall have up to two (2) of these unused vacation/personal leave days converted to their accumulated sick leave.

Conditions for using personal leave:

1. Subject to the following conditions, personal leave can be taken at the discretion of a teacher, who shall not be required to give reasons for the use of any personal leave. The approval of the Superintendent or his designee shall be required under the following conditions:
 - if more than ten percent (10%) of the teachers in a school request the use of a personal leave day on the same day, provided, in making this calculation any major fraction shall be considered as one (1); and in schools of five (5) teachers or less, one (1) teacher may take personal leave at his discretion;
 - if personal leave is requested during any prior established student examination period;
 - if personal leave is requested on the day immediately preceding or following a holiday or vacation period;
 - if personal leave is requested for days scheduled for professional development or inservice training, according to a school calendar adopted by the local board of education prior to the commencement of the school year; or

- if personal leave is requested for days scheduled for parent-teacher conferences, according to a school calendar adopted by the local board of education prior to the commencement of the school year.

Requests for waivers of the conditions listed above must be made in writing to the building principal prior to the occurrence. The building principal will either approve or deny the request in writing. The request and the principal's decision are then forwarded to the Superintendent for final disposition.

2. Except in an emergency, a teacher shall give at least one (1) day's advance notice of intent to take personal leave.

Procedure for requesting personal and professional leave days that do not require a waiver due to the conditions cited in the section above:

1. It is desired that the teacher inform the building principal of the need for leave at least five (5) full teaching days prior to the occurrence of the leave.

Approval of emergency situations without due notice will be determined and authorized by the principal.

2. The teacher shall request a leave form from the principal.
3. The teacher shall present the request for leave form to the building principal for approval. It is the principal's responsibility to authorize these leave days in such a manner that the learning routine of the students does not suffer.

T.C.A. § 49-5-711

Shelby County Board of Education

4025

Descriptor Term:

VACATION / PERSONAL LEAVE

Descriptor Code:

Personnel

Issued Date:

08/25/11

Rescinds:

Issued:

Vacation will be granted to regular, full-time employees subject to the following provisions:

A. General Provisions

1. Temporary and part-time employees are not eligible for vacation.
2. Vacation pay is computed on the basis of the employee's regular schedule at the regular rate of pay.
3. Vacation leave credited to a new employee may not be used until the employee has completed six (6) months of continuous service.
4. In no event shall any employee who has not completed six (6) months of service receive vacation pay.
5. An employee who resigns or terminates from Shelby County Schools shall be paid for any unused or earned vacation leave, provided the employee has completed six (6) months of service.
6. Certificated employees who are twelve (12) month employees and have reached the maximum years experience on the salary schedule are allotted one additional personal leave day for a total of three (3) personal leave days. Up to a maximum of two (2) unused personal leave days remaining at the end of each fiscal year will be transferred to accumulated sick leave days as allowed by state law.
7. Full-time teachers who have reached the maximum years experience on the salary schedule are allotted one additional personal leave day for a total of three (3) personal leave days. Up to a maximum of two (2) unused personal leave days remaining at the end of each fiscal year will be transferred to accumulated sick leave days as allowed by state law.
8. Full-time ten (10) month classified employees, with the exception of bargaining unit employees, will receive one (1) day each year in addition to earned sick leave to be used for personal business. There are no provisions for this day to carry over into the next fiscal year.

1
2 **B. Twelve (12) Month Employees**

3 1. Schedule

4
5 Less than 1 year..... 1 day per month - Maximum 10 days
6 1 year but less than 5 years.....10 days
7 5 years but less than 10 years.....12 days
8 10 years but less than 15 years.....15 days
9 15 years or more.....20 days
10

11 2. Procedures

- 12 a. July 1 will be the date used to allocate the number of vacation days.
13 Creditable service for purpose of eligibility for vacation is to be
14 computed from beginning of full time employment.
15 b. An employee may carry forward, after June 30, to the next fiscal year
16 no more than five (5) days of vacation.
17 c. Designated Shelby County Schools holidays that fall within the
18 vacation schedule are not to be counted as vacation days.
19 d. Vacation schedules shall be approved by the employee's immediate
20 supervisor and should be planned in such a way that operational
21 procedures are not interrupted.
22 e. Service in the Tennessee National Guard, State Militia or Military
23 Reserve will not be counted as vacation leave at the option of the
24 employee and are subject to general provisions of Tennessee Code
25 Annotated, Sections 49-5-702, 49-5-704, and 8-33-109.
26
27

28
29 **C. Full time employees working less than twelve months**

- 30 1. Employees affected: school clerical, cafeteria managers, special education
31 assistants, educational assistants, lead cashiers, security personnel, bus drivers and
32 bus assistants.
33
34 2. Schedule - Ten (10) days annual vacation per year will be paid as a separate
35 check at the end of the school year and there is no carry over for less than
36 twelve-month employees.
37
38 3. A new employee must work at least six (6) months in a school year before
39 being eligible for vacation pay. Any new employee that has worked at least six
40 (6) months in the school year but less than ten (10) months will receive
41 prorated vacation pay.
42
43
44
45
46

1
2
3 **D. Employees in Bargaining Unit -**

4 See Memorandum of Understanding, Vacations.

5
6
7 **E. Bus Drivers and Bus Assistants -**

8 See Transportation Department Handbook, Vacations.

Shelby County Board of Education

4026

Descriptor Term:

STATE SICK LEAVE

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

Shelby County Board of Education participates in the State Sick Leave Plan for teachers which provides one day of sick leave for each month employed including time worked under an extended contract up to a maximum of twelve (12) sick days per year. Sick leave days may be accumulated from year to year. There is no limit to the number of days which may be accumulated.

At retirement, the unused accumulated sick leave may be used as retirement credit.

Sick leave is to be administered as outlined in Tennessee Code.

T.C.A. § 49-5-702

T.C.A. § 49-5-710

Shelby County Board of Education

4027

Descriptor Term:

**CERTIFICATED EMPLOYEES
STATE SICK LEAVE BANK**

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

The Shelby County Board of Education operates a Sick Leave Bank for certificated employees as authorized and prescribed by state law.

T.C.A. §49-5-801, et seq

Shelby County Board of Education

4028

Descriptor Term:

**ASSIGNMENT OF ACCUMULATED
SICK LEAVE TO PRIOR EMPLOYEES**

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

Upon request from a prior certificated employee, sick leave accumulated at the time of separation from the Shelby County Schools System will be forwarded to the employing system.

Shelby County Board of Education

4029

Descriptor Term:

PROFESSIONAL ORGANIZATIONS

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

The Board recognizes the right of its professional staff members to join and take part in professional associations. Absence from work or performance of association responsibilities during the hours of business for the Shelby County Board of Education should have the approval of the principal or of the department head and of the Superintendent.

Shelby County Board of Education

4030

Descriptor Term:

**ACCESS TO EMPLOYEE'S
PERSONNEL FILES**

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

The employee's personnel file may be reviewed by the following persons:

1. The Superintendent;
2. The employee's Principal or department director;
3. The General Counsel or system-appointed lawyer with authorization of the Superintendent;
4. Superintendent designees;
5. Access by others will be determined by current law.

Human Resources employees by nature of their assignment have access to these records, but have the responsibility to maintain privacy of all materials within the files.

Any employee may request to see their files at any time during the regular work day of the Shelby County Board of Education.

Shelby County Board of Education

4031

Descriptor Term:

SUBSTITUTE EMPLOYEES

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

Substitute employees in the Shelby County Schools shall be selected from a list approved by the Human Resource Department and shall comply with T.C.A. § 49-5-413 in regard to background investigation and criminal history records check.

Substitute Teachers -

- (a) A substitute teacher substituting for a regular teacher on leave authorized for a period not exceeding twenty (20) consecutive teaching days is not required to possess a teacher's certificate or permit.
- (b) A substitute teacher who is a retired teacher is not required to continue to renew such teacher's certification in order to work as a substitute teacher.
- (c) No person shall be employed as a substitute teacher whose records with the State Department of Education indicate a license or certificate currently in revoked status.

T.C.A. § 49-2-203

T.C.A. § 49-3-312

Shelby County Board of Education

4032

Descriptor Term:

TUTORING

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

Definition: A tutor is an instructor who teaches on an individual basis for monetary remuneration, but who may or may not be affiliated with a school system in performing this task.

1. The system does not maintain a list of tutors who seek employment.
2. No Shelby County aide, teacher, or administrator will ever recommend a tutor by name to any parent of a student enrolled in a Shelby County school.
3. If a student in a Shelby County school is in need of some individual tutoring, after getting the principal's approval, the teacher may recommend to the parent that the student would profit from some individualized instruction plus that which is being given in his/her classroom. This additional help could be given by a member of the family, a neighbor, or other. **NOTE:** A teacher should have done everything possible to give a student the help he/she needs before recommending to parents that a student is in need of outside help. A list of students for whom tutors are recommended will be submitted to the Assistant Superintendent of Curriculum & Accountability by the principal.
4. Personnel of Shelby County Schools shall not tutor for remuneration children who attend the school in which the person is employed.

Shelby County Board of Education

4033

Descriptor Term:

**THE SHELBY COUNTY
EDUCATION ASSOCIATION**

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

The Shelby County Education Association shall be the official representative body for the teachers of Shelby County Schools.

Shelby County Board of Education

4034

Descriptor Term:

FACULTY QUALIFICATIONS

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

All Shelby County Schools are accredited members of the Southern Association of Colleges and Schools. Any changes in requirements for faculty qualifications by the Southern Association of Colleges and Schools shall become requirements of the Shelby County Board of Education. The following SACS standards for continuing certification and licensure have been approved by the Shelby County Board of Education.

All certificated/licensed staff members shall earn at least six (6) semester hours of credit or the equivalent during each five-year period of employment. The six (6) semester hours or equivalency shall be designed to increase competency in the areas of job responsibility. Thirty (30) hours of system approved staff development is the equivalent of six (6) semester hours of credit.

Shelby County Board of Education

4035

Descriptor Term:

**LEAVE FOR SERVICES AS A MEMBER OF
THE SOUTHERN ASSOCIATION OF
COLLEGES AND SCHOOLS' EVALUATION
OR REVIEW COMMITTEE**

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

Approval for all professional staff members to serve on a Southern Association of Colleges and Schools' evaluation or review committee shall be given by the Superintendent or his designee. It is expected that professional staff members, teachers, and principals will limit their service so it will not hinder assigned duties.

Shelby County Board of Education

4036

Descriptor Term:

EMPLOYEES: REPORTING TIME

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

All employees are expected to report to work at the time designated by their principal and/or supervisor. Failure to do so may result in disciplinary action.

Shelby County Board of Education

4037

Descriptor Term:

SALARY RATINGS

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

Notwithstanding any provision of this section to the contrary, any principal-teacher, teacher, director of schools, or other school personnel employed on a system-wide basis, who completes additional academic training after the beginning of a school year, but prior to January 1 of that school year, that would qualify the employee for a higher salary rating, shall be eligible to have the employee's salary rating redetermined as of January of the school year. To receive the adjustment in salary rating, the employee shall give notice in writing of the employee's intention to complete academic training that may qualify the employee for a higher salary rating after the beginning of the school year immediately subsequent to the date of the notice and prior to January 1 of such school year. The written notice shall be given to the Superintendent of schools and to the Chairman of the Shelby County Schools Board of Education, prior to submission of the Shelby County Schools' budget to the local legislative body pursuant to § 49-2-203(a)(10). After completing the academic training, the employee shall provide, by February 1 of the school year, all documentation, as required by Shelby County Schools and the Commissioner, necessary to establish the completion of the training. The increased salary rating and other information, as called for on forms prescribed by the Commissioner, shall be filed with the Commissioner by February 15 of the school year.

T.C.A. §49-2-203

T.C.A. §49-5-402

Shelby County Board of Education

4038

Descriptor Term:

FAMILY AND MEDICAL LEAVE

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

The Shelby County Board of Education complies with the Family Medical Leave Act. The purpose of the Act and this Policy is to entitle employees to take reasonable leave for medical reasons, for the birth or adoption of a child, and for the care of a child, spouse or parent who has a serious health condition.

ELIGIBILITY

Anyone who has been employed for at least twelve (12) months by Shelby County Schools or anyone who has at least 1,250 hours of service during the previous twelve month period.

GENERAL PRINCIPLES

1. Any employee who has satisfied the eligibility requirement as stated above shall be granted, upon request, up to twelve (12) weeks unpaid leave for the birth or adoption of a child, the care of a child, spouse, or parent who has a serious health condition or for their own serious health condition or for qualifying exigencies arising out of the fact that the employee's spouse, child, or parent is on active duty, or has been notified of an impending call or order to active duty, in support of contingency operation. (Any female requesting leave due to pregnancy and childbirth shall be granted at least four (4) months leave.)
2. Any employee on maternity leave shall be permitted to use accumulated sick leave during the period of actual physical disability only. Otherwise, the maternity leave shall be unpaid leave. A teacher may use up to thirty (30) days of accumulated sick leave for the adoption of a child. If both adoptive parents are teachers, only one parent may request leave. Written verification from the adoption agency or other entity handling the adoption shall be required before the leave is granted.
3. A physician's statement may be required by the Superintendent when determining the period of actual physical disability.
4. Requests for leaves and extensions of leaves shall conform to state law governing all leaves of absence.

QUALIFYING EXIGENCIES

Qualifying exigencies include:

Issues arising from a covered military member's short notice deployment for a period of seven days from the date of notification;

Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member;

Making or updating financial and legal arrangements to address a covered military member's absence;

Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member;

Taking up to five (5) days of leave to spend time with a covered military member who is on short-term temporary, rest and recuperation leave during deployment;

Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the covered military member's active duty status, and addressing issues arising from the death of a covered military member;

Any other event that the employee and employer agree is a qualifying exigency.

MILITARY CAREGIVER LEAVE

An eligible employee who is a spouse, child, parent or next of kin of a covered service member with a serious injury or illness shall be granted up to a total of 26 work weeks of unpaid leave during a "single 12 month period" to care for the service member. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. A serious injury or illness is one that was incurred by a service member in the line of duty on active duty that may render the

1 service member medically unfit to perform the duties of his or her office, grade, rank or
2 rating. The "single 12 month period" for leave to care for a covered service member with
3 a serious injury or illness begins on the first day the employee takes leave for this
4 reason and ends 12 months later, regardless of the 12 month period established by the
5 employer for other types of FMLA leave. An eligible employee is limited to a combined
6 total of 26 work weeks of leave for any FMLA-qualifying reason during the "single 12-
7 month period."
8

11 **RESTRICTIONS**

- 12 1. For foreseeable leave, the employee shall provide the Superintendent with at
13 least thirty (30) days written notice before the beginning of the anticipated leave.
14
- 15 2. The Superintendent may require that a request for leave be supported by
16 certification issued by a health care provider with the following information:
17
 - 18 a. the date on which the serious health condition commenced;
 - 19 b. the probable duration of the condition;
 - 20 c. the appropriate medical facts within the knowledge of the health care
21 provider regarding the condition; and
 - 22 d. a statement that the eligible employee is needed to care for the son,
23 daughter, spouse or parent and an estimate of the amount of time that such
24 employee is needed.
25
- 26 3. If there is any reason to doubt the validity of the certification provided, the
27 Superintendent may require, at the expense of the school system, an opinion of a
28 second health care provider.
29
- 30 4. Once it has been established that the leave requested qualifies for FMLA, the
31 Superintendent or his/her designee shall notify the employee within two (2)
32 business days (absent extenuating circumstances) that -
33
34

35 Any leave taken pursuant to state leave statutes (paid vacation leave, personal leave,
36 or sick leave) shall run concurrently with FMLA leave.
37

38 The notice may be given orally or in writing. If the notice is oral, it shall be confirmed in
39 writing no later than the following pay day.
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1 5. Intermittent Leave - When a licensed employee requests foreseeable leave for
2 planned medical treatment and the employee would be on leave for greater than
3 20% of the total number of working days in the period during which the leave
4 would extend, the school may require that such employee elect either to take the
5 leave for periods of a particular duration, not to exceed the duration of the planned
6 medical treatment or to transfer temporarily to an available alternative position
7 offered by the school system for which the employee is qualified, and that has
8 equivalent pay and benefits and better accommodates recurring periods of leave.
9

10
11 6. Period Near the End of an Academic Term (*Professional Employees*) - If leave is
12 taken more than five (5) weeks prior to the end of the term, the Superintendent
13 may require the employee to continue taking leave until the end of the term if the
14 leave is at least three (3) weeks of duration and the return of employment would
15 occur during the three (3) week period before the end of the term.
16

17 If the leave is taken five (5) weeks prior to the end of the term, the Superintendent
18 may require the employee to continue taking leave until the end of the term if the
19 leave is greater than two (2) weeks duration and the return to employment would
20 occur during the two (2) weeks period before the end of the term.
21

22
23 7. Spouses employed by the same employer are limited to a combined total of 26
24 work weeks in a "single 12-month period" if the leave is to care for a covered
25 service member with a serious injury or illness, and for the birth and care of a
26 newborn child, for placement of a child for adoption or foster care, or to care for a
27 parent who has a serious health condition.
28
29

30 **REQUIREMENTS OF THE BOARD**

- 31 1. The employee shall be restored to the same position of employment or an
32 equivalent position with no loss of benefits, pay or other terms of employment.
33
34 2. The employee shall be kept under any group health plan for the duration of the
35 leave.
36
37 3. The Board may recover the group health plan premium paid under the following
38 conditions:
39
40
41
42
43
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46

- 1
2
3
4 a. the employee fails to return from leave after the period of leave has
5 expired;
6
7
8 b. the employee fails to return to work for a reason other than the
9 continuation, recurrence, or onset of a serious health condition or other
10 circumstances beyond the control of the employee.
11
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15 **Federal Family and Medical Leave Act 1993**

16 **T.C.A. § 49-5-702; T.C.A. § 4-21-408**

17 **T.C.A. § 49-5-710**

18 **T.C.A. § 49-5-704**

19 **29 CFR § 825.08**

20 **OP Tenn. Atty. Gen. 94-006 (January 13, 1994)**
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Shelby County Board of Education

4039

Descriptor Term:

**EMPLOYEE WHISTLEBLOWER
PROTECTION**

Descriptor Code:

Personnel

Issued Date:

08/26/10

Rescinds:

Issued:

Employees who report improper governmental activity involving the Shelby County Schools District are protected against retaliation, interference, intimidation, threats or similar acts. No employee of Shelby County Schools shall be discharged, terminated, or otherwise discriminated against with respect to compensation, terms, conditions, privileges of employment solely for refusing to remain silent about, illegal activities. Illegal activities means activities that are in violation of criminal or civil laws, either state or federal, or any regulation intended to protect the public health, safety, or welfare. If an employee believes he/she is the subject of actual or attempted retaliation, interference, intimidation, threats or similar acts for reporting improper governmental activity, he/she may file a written complaint.

A Complaint must be filed within twelve (12) months of the alleged act or threat of retaliation or similar acts. Employees are asked to file their complaint on the Shelby County Schools "Whistleblower Complaint Form" which can be obtained via the Shelby County Schools website, or in the office of the Assistant Superintendent of Human Resources. Employees must return the completed Complaint form to his/her immediate supervisor. If the employee's immediate supervisor is the subject of the Complaint of retaliation or similar acts, return the completed Complaint form in person or mail to:

**Assistant Superintendent of Human Resources
Shelby County Schools
160 S. Hollywood Street
Memphis, TN 38112**

Any employee terminated or discriminated against in violation of T.C.A. §50-1-304 shall have a cause of action against the employer and any other damages to which the employee may be entitled.

If any employee files a cause of action for retaliatory discharge for any improper purpose, such as to harass or to cause needless increase in costs to the employer, the court, upon motion or upon its own initiative, shall impose upon the employee an appropriate sanction, which may include an order to pay the other party or parties the amount of reasonable expenses incurred, including reasonable attorney's fees.

T.C.A. § 50-1-304

T.C.A. § 49-50-1401 et seq.

1
2
3 **WHISTLEBLOWER COMPLAINT FORM**
4

5 Please print or type
6

7 **I. Person making this Complaint:**

8 Name: _____
9

10 Address: _____
11

12 Place of Employment: _____
13

14 Job Title: _____
15

16 Telephone Number (Home): _____
17

18 **II. Person or Entity That You Reported Engaged In Improper Governmental Activity:**

19 Name and Title of Person/Entity: _____
20

21 Place of Employment (department, office or school): _____
22

23 Telephone Number: _____
24

25 Nature of Report of Improper Governmental Activity (please include dates, names, etc.):
26 _____
27 _____
28 _____
29 _____
30 _____
31 _____
32 _____
33 _____
34 _____
35 _____
36 _____
37 _____
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39 _____
40 _____
41 _____
42 _____
43 _____
44 _____
45 _____
46 _____

(Attach additional sheets if necessary. In addition, please attach copies of any supporting documentation regarding the alleged improper activity.)

Describe the law(s) or the Shelby County Schools' policy that you allege was violated:

Date of Your Report: _____

Name of Person/Department to whom the report was submitted: _____

Names, Addresses and Telephone Numbers of Witnesses or Persons with information:

1
2
3 **III. Person You Claim Has or Has Attempted Acts of Interference, Intimidation,**
4 **Retaliation, Threats or Similar Acts Against You For Providing or Attempting To**
5 **Provide Information of Improper Governmental Activity.**
6

7 Name and Title of Person: _____
8 _____

9 Place of Employment (include department, office, or school):
10 _____

11 Telephone Number: _____

12 Nature of Complaint of retaliation, reprisal, threats or other acts (please include dates, names,
13 etc.): _____
14 _____
15 _____
16 _____
17 _____

18 (Attach additional sheets if necessary. In addition, please attach copies of any supporting
19 documentation regarding the alleged retaliation, reprisal, etc.)
20

21 Names, Addresses and Telephone Numbers of Witnesses or Persons with information:
22 _____
23 _____
24 _____
25 _____
26 _____
27

28 **IV. DECLARATION OF COMPLAINANT:**

29 I declare under penalty of perjury under the laws of the State of Tennessee that the foregoing is
30 true and correct.
31

32 Signature: _____
33

34 Name (please print): _____
35

36 at (City/State): _____
37
38

39 DATE: _____
40
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5000

INSTRUCTION

School Calendar	5001
Programs for Students with Disabilities	5002
Class Size	5003
Graduation Requirements	5004
Honors / Advanced Placement Course Selection Procedures	5005
Awarding of Credits	5006
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Alternative Credit for Physical Education	5008
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<u>No Child Left Behind Act of 2001</u> Parent Notification	5011
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Shelby County Board of Education

5001

Descriptor Term:

SCHOOL CALENDAR

Descriptor Code:

Instruction

Issued Date:

08/26/10

Rescinds:

Issued:

Each year the Superintendent will appoint a committee comprised of teachers, parents, principals, classified employees, a representative of the Board, and the Superintendent's staff to provide input in development of the school year calendar. Parents and employees are encouraged to provide written suggestions to the calendar committee. The school calendar must meet the requirements defined by state law, T.C.A. § 49-6-3004; as well as, the Shelby County Schools Board designated non-teaching days and state mandated testing dates.

State law § 49-6-3004 requires each school system to develop an annual school year calendar that reflects a term of "no less than 200 days" as follows:

- 180 days for classroom instruction
- 10 days for vacation with pay for a 200 day term
- 5 days for in-service education
- 1 day for teacher-parent conference
- 4 other days as designated by the local board of education upon the recommendation of the Superintendent

The Shelby County Schools Board requires the school calendar to designate the following as non-teaching days to be included and designated on the school calendar:

- Labor Day
- Veterans Day
- Christmas Day
- New Years Day
- Martin Luther King Day
- Presidents Day
- Good Friday
- Memorial Day

The Superintendent or his designee shall meet with the committee and review the proposed calendar. The Superintendent shall present the calendar with his recommendation to the School Board for its approval.

Shelby County Board of Education

5002

Descriptor Term:

**PROGRAMS FOR STUDENTS
WITH DISABILITIES**

Descriptor Code:

Instruction

Issued Date:

08/26/10

Rescinds:

Issued:

All disabled students in the Shelby County Schools system shall be provided with a free and appropriate public education.

Students with disabilities shall be educated in the least restrictive environment. In order to assure that each disabled student is appropriately educated within the least restrictive environment, support services are provided to assure that he/she can derive educational benefit.

The needs of certain students are so great that special instructional services or special facilities are necessary beyond that of the regular classroom. Any educational placement, other than the regular classroom, is made only when it has been determined by the Individual Education Plan (IEP) Team that such placement is appropriate. Parents or legal guardians have a right to due process procedures if they feel that such placement is not appropriate.

Home or hospital instruction shall be provided to any student with an impairment which, in the opinion of a licensed medical examiner, will cause him/her to be absent from school for an extended period of time.

Individuals with Disabilities Education Act

Tennessee State Board of Education Rule § 520-01-09-.06

Shelby County Board of Education

5003

Descriptor Term:

CLASS SIZE

Descriptor Code:

Instruction

Issued Date:

08/26/10

Rescinds:

Issued:

The Board understands that determination of class size is dependent upon the financial ability of the school system. In determining the size of various classes, the administration will consider the following factors:

1. requirements mandated by the Tennessee Department of Education and the Tennessee General Assembly;
2. requirements of the Southern Association of Colleges and Schools (SACS);
3. student enrollment which will help the teacher be most effective with the students in the class;
4. facilities in which the class is conducted;
5. requirements mandated under the Individuals with Disabilities Education Act to provide a free, appropriate public education in the least restrictive environment as determined by the IEP team.

SPECIAL EDUCATION CLASS SIZE

The policy of Shelby County Schools is to ensure that students with disabilities placed in the general education classroom are provided a free appropriate public education (FAPE). It is our intent to assure that the instructional needs of all students are met. This policy is to establish equitable and educationally sound placement of all students including students with disabilities in every classroom. Our school district will utilize the state's BEP formula in determining class size for all classrooms.

To ensure the provisions of a free appropriate public education (FAPE) according to state law and the Individuals with Disabilities Education Act (IDEA) are being met our school district proposes the following:

1. Education placement decisions for all students, including students with disabilities shall be made based on the instructional needs of the students;
2. Provide joint staff development and training for General Education and Special Education teachers (models, strategies and interventions) for maintaining an inclusive classroom;

3. Facilitate interactive planning sessions with Special Education and General Education teachers as well as paraprofessionals regarding each student's IEP;
4. Training for General Education teachers on modifications and accommodations to the IEP;
5. All students in the general education classroom should have access to the standard textbooks and instructional materials used in the class; alternative or supplemental materials are provided as needed;
6. Provide resources and supports supplemental aid and material for students to progress in the general curriculum and be successful in the general education classroom. (e.g. Assistive technology devices and services, paraprofessional support, adaptations in the classroom;
7. Provide the technical assistance needed to General Education Teachers in order to address the needs of individual students, and
8. Training for paraprofessionals is provided to ensure that they acquire the knowledge and skills necessary to assist students in the general education classroom.

T.C.A. § 49-1-104

Shelby County Board of Education

5004

Descriptor Term:

GRADUATION REQUIREMENTS

Descriptor Code:

Instruction

Issued Date:

08/26/10

Rescinds:

Issued:

The State Board of Education has established minimum standards for graduation from any Tennessee public High School. Any student who meets those requirements shall be awarded the appropriate diploma or certificate as specified in the Tennessee State Board of Education Rules, Regulations and Minimum Standards for the Operation of the Public School System.

Students meeting the Tennessee State Board of Education requirements for "graduating with distinction" shall be so indicated in each high school's graduation program.

Honors Diploma

In order to best prepare students for college and an ever more competitive global job market, Shelby County Schools supports, encourages and motivates students to challenge themselves by taking the most rigorous course of study.

Students eligible for the Honors Diploma must have earned twelve (12) Honors or Advanced Placement credits (any combination) in Grades 9-12 or a combination of such credits totaling twelve (12), with each Advanced Placement credit equal to 1.5 honors credits. A minimum of two (2) Honors or Advanced Placement courses is required during the senior year.

A qualified graduate will receive a Diploma that indicates the Honor status and Honors Diploma will be printed on the Graduate's final high school transcript.

Shelby County Board of Education

5005

Descriptor Term:

**HONORS / ADVANCED PLACEMENT
COURSE SELECTION PROCEDURES**

Descriptor Code:

Instruction

Issued Date:

08/26/10

Rescinds:

Issued:

Requirement:

A student may elect to take an Honors/Advanced Placement Course upon successful completion of the prerequisite course(s) with a "C" average.

Should a student encounter difficulty in making adequate academic progress in an Honors or Advanced Placement Course, the following procedures should be followed:

- The student must first consult the teacher for ways to improve.
- If academic difficulty continues, the parent may request a school meeting to include the teacher, the student, the parent(s), and the appropriate school counselor along with the appropriate assistant principal. This team will form a plan of action.

The final approval for a student to drop a course is at the discretion of the principal and shall be based upon multiple factors, including available space in an alternative class at the time of the request.

1. Framework of Standards for Honors Courses

Honors courses will substantially exceed the content standards, learning expectations, and performance indicators approved by the State Board of Education. Teachers of honors courses will model instructional approaches that facilitate maximum interchange of ideas among students: independent study, self-directed research and learning, and appropriate use of technology. All honors courses must include multiple assessments exemplifying coursework (such as short answer, constructed-response prompts, performance-based tasks, open-ended questions, essays, original or creative interpretations, authentic products, portfolios, and analytical writing). Additionally, an honors course shall include a minimum of five of the following components:

- (i) Extended reading assignments that connect with the specified curriculum.
- (ii) Research-based writing assignments that address and extend the course curriculum.
- (iii) Projects that apply course curriculum to relevant or real-world situations. These may include oral presentations, PowerPoint, or other modes of sharing findings. Connection of the project to the community is encouraged.
- (iv) Open-ended investigations in which the student selects the questions and designs the research.
- (v) Writing assignments that demonstrate a variety of modes, purposes, and styles.
 - (I) Examples of mode include narrative, descriptive, persuasive, expository, and expressive.
 - (II) Examples of purpose include to inform, entertain, and persuade.
 - (III) Examples of style include formal, informal, literary, analytical, and technical.
- (vi) Integration of appropriate technology into the course of study.
- (vii) Deeper exploration of the culture, values, and history of the discipline.
- (viii) Extensive opportunities for problem-solving experiences through imagination, critical analysis, and application.
- (ix) Job shadowing experiences with presentations which connect class study to the world of work.

All course types which meet the above framework will be classified as honors, eligible for additional percentage point weighting.

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3 Technical courses that offer a National Industry Certification through a
4 nationally recognized examination may be weighted by adding 3 points to all
5 grades used to calculate the semester average.
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7 If honors courses and courses that offer National Industry Certification are
8 offered, the Board shall annually approve the list of such courses. This list of
9 National Industry Certification courses and of approved honors courses with a
10 complete syllabus for each course shall be approved by the Board and made
11 readily available to all Shelby County Schools students.
12

13 **Advanced Placement Courses and International Baccalaureate Courses.** The Board
14 shall annually approve a list of Advanced Placement and International Baccalaureate
15 courses. This list of approved courses shall be made readily available to all Shelby
16 County Schools students. Approved courses must substantially incorporate the
17 learning objectives and course descriptions as defined by the College Board or
18 International Baccalaureate Agency.
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21 Only Advanced Placement and International Baccalaureate courses that have end-of-
22 course national examinations qualify for the addition of 5 points to grades used to
23 calculate semester averages.
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26 **Tennessee State Board of Education Rule § 0520-01-03-.05**
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Shelby County Board of Education

5006

Descriptor Term:

AWARDING OF CREDITS

Descriptor Code:

Instruction

Issued Date:

08/26/10

Rescinds:

Issued:

The Board will approve annually a list of high school courses to be offered and the minimum and maximum credits that may be earned in each course.

Shelby County Board of Education

5007

Descriptor Term:

ONLINE COURSES

Descriptor Code:

Instruction

Issued Date:

08/26/10

Rescinds:

Issued:

Students enrolled in a Shelby County high school may earn high school credit from courses taken online provided each of the following conditions are met:

1. Only those online courses that have been approved by the Tennessee State Department of Education may be taken by students for credit.
2. Students will be permitted to take online courses ONLY in unusual circumstances; homebound, expulsion, schedule conflict during the school day, or if the course is not offered at the student's home school.
3. Online courses may be taken ONLY through SACS (or equivalent) accredited institutions and ONLY WITH prior written approval of the student's principal. Any and all exceptions should be directed to the Superintendent, the Director of Secondary Education, or designee, for approval of the course and the supplying institution.
4. Official transcripts from the online school or university must be submitted to the student's high school prior to the beginning of the next semester. It is the responsibility of the student/parent to have the institution provide the transcript to the student's home school.
5. For the purpose of meeting minimum graduation requirements, students may receive no more than one online course credit each school year. Students who are expelled or homebound may exceed this limit with approval from the Superintendent or designee.
6. All fees and other costs are the responsibility of the student/parent, unless prior written approval has been granted by the Superintendent or designee.
7. Numerical grades provided by the online institution will be recorded on the student's permanent record exactly as provided, regardless of status (passing, failing, withdrawal.) If the institution only provides letter grades, Shelby County Schools will convert to a numerical grade that is the median of the Shelby County Schools grading scale for the letter grade given.

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8. All online grades earned according to this policy shall be included as part of the student's official overall grade point average and recorded on the transcript to accurately track the student's enrollment in coursework.

T.C.A. § 49-16-101, *et seq.*

Tennessee State Board of Education Policy No. 3.208

Shelby County Board of Education

5008

Descriptor Term:

**ALTERNATIVE CREDIT FOR
PHYSICAL EDUCATION**

Descriptor Code:

Instruction

Issued Date:

08/26/10

Rescinds:

Issued:

High school students may earn one-half (1/2) credit through participation in approved extracurricular activities according to the following requirements.

- The activity must be approved by the principal to ensure that the minimum 80 hours of physical activity are included. Appropriate activities may include, but are not limited to, all Tennessee Secondary School Athletic Association sanctioned sports.
- The superintendent or superintendent's designee shall approve activities annually. Procedures for awarding credit for the activities shall be consistent throughout the district.
- The student must submit a *Request for Alternative Credit for Physical Education* signed by the coach/sponsor/teacher verifying participation and completion of the activity.
- The student must successfully complete the entire activity or season with an attendance rate of at least 90%.
- The grade for alternative credit for physical education will be recorded as "pass" on the student's transcript and will not be used in calculating the student's GPA.

T.C.A. § 49-6-1021

Tennessee State Board of Education Rule § 0520-01-03-.05

Shelby County Board of Education

5009

Descriptor Term:

COURSE RECOVERY

Descriptor Code:

Instruction

Issued Date:

08/26/10

Rescinds:

Issued:

Guidelines

Course Recovery is designed to provide students an opportunity to recoup credit needed for graduation. Shelby County Schools provides Course Recovery as self-paced online courses that meet the Tennessee Standards for course credit.

Eligibility - must meet all criteria

- Students who are repeating a failed course with a minimum average of 50%.
- Students who are deficient in credit to progress to the next grade level, or to graduate on time and who cannot obtain said credits during the regular school day during the school year.
- Students who have failed a Gateway course, but who have passed the Gateway test for that course.
- Students who have not been classified as Truant (10 unexcused absences or 15 total absences) during the current term.

Requirement/Procedures

- Tuition, not to exceed the current tuition amount for summer school, may be charged for Course Recovery offered outside the school day.
- No more than two (2) absences from sessions (absences during the summer will require "make up" time.) o Appropriate conduct during session time, including adequate progress toward completion.
- No more than three (3) attempts to pass any single test.
- Students may apply a maximum of four (4) credits through Course Recovery toward graduation.

- Course Recovery may only be taken at the student's base school during the school year.
- Any course taken through Course Recovery will be honored in any district school. This includes transfers prior to completion of the course.
- Successful completion of Course Recovery will be recorded as an additional entry on the transcript with a 70 being listed as the semester average with a Course Recovery designation. The original failing grade remains on the transcript.
- Priority for available seats will be given to seniors needing course credit to graduate.

T.C.A. § 49-6-601

Shelby County Board of Education

5010

Descriptor Term:

**TITLE I
PARENTAL INVOLVEMENT**

Descriptor Code:

Instruction

Issued Date:

07/27/11

Rescinds:

Issued:

SCS Title I Parental Involvement

The Shelby County Board of Education recognizes and encourages the involvement of parents at the school and district level. As a school district, we recognize that parents are key stakeholders and serve as partners in the academic achievement of all students to meet or exceed No Child Left Behind proficiency standards.

The SCS parental involvement policy includes input from parents, community members, school and district personnel. The purpose of this policy is to comply with all pertinent mandates of state and federal regulatory standards which require that all parents have access to various levels and types of parental involvement activities with no person excluded based on race, religion, creed, gender, socio-economic status, physical impairment or age.

Each SCS school that is served by Title I of the Elementary and Secondary Education Act shall:

- Offer opportunities for parents to provide input and participate in meaningful consultation in the planning, design and implementation of the Title I Program.
- Offer district level administrators, local school administrators and teachers formal training to increase knowledge and skills in working with families of children receiving Title I services.
- Conduct an annual meeting at flexible times with parents to discuss the school's participation in Title I programs such as Free and Reduced Lunch, Migrant Education, SES, Public School Choice, and other offerings.
- Provide parents of participating children with explanation of district curriculum, students' assessments and reports, and accurate explanations of their child's progress.
- Provide multiple opportunities for parents to provide input for developing and revising policies relating to parent involvement, including the use of school and district level Parent Involvement funds, and on policies at the school level. Parents will also be asked to share suggestions for improving target participation in student learning. Formal parent complaints concerning school plans will be submitted to the school district when the school makes the plan available publicly.
- Develop a school-parent compact that outlines how parents, the entire school staff and students will share the responsibility for improved student

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3 achievement and the means by which the school and parents will build
4 and develop a partnership to help children achieve high standards.

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6 ○ Conduct, with the involvement of parents and community members, an
7 annual evaluation of the content and effectiveness of the school parent
8 involvement policy, including identification of barriers to greater
9 participation by parents of diverse backgrounds. Findings will be utilized
10 to design additional effective strategies for parental involvement.
- 11
12 ○ Allow parents of students receiving Title I service to participate in
13 deciding how Title I funds for family engagement activities are allotted.
- 14
15 ○ Provide information such as parent letters, newsletters, and website
16 documentation concerning programs or activities in a language that all
17 parents understand.
- 18
19 ○ Provide parents, community members, and school stakeholders a copy of
20 this Parental Involvement Policy in a timely manner.

21 **Building Capacity for Parental Involvement**

22 To ensure effective involvement of parents and to support a partnership among the
23 school involved, parents, and the community to improve student academic
24 achievement, each SCS school that is served by Title I of the Elementary and
25 Secondary Act and SCS as a whole -
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27 (1) shall provide assistance to parents of children served by the school or local
28 education agency, as appropriate, in understanding such topics as the State's academic
29 content standards and State student academic achievement standards, State and local
30 academic assessments, the requirements of 20 U.S.C.A., § 6318, and how to monitor a
31 child's progress and work with educators to improve the achievement of their
32 children;

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34 (2) shall provide materials and training to help parents to work with their children
35 to improve their children's achievement, such as literacy training and using
36 technology, as appropriate, to foster parental involvement;

37
38 (3) shall educate teachers, pupil services personnel, principals, and other staff, with
39 the assistance of parents, in the value and utility of contributions of parents, and in
40 how to reach out to, communicate with, and work with parents as equal partners,
41 implement and coordinate parent programs, and build ties between parents and the
42 school;

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3 (4)shall, to the extent feasible and appropriate, coordinate and integrate parent
4 involvement programs and activities with Head Start, Reading First, Early Reading First,
5 Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as
6 Teachers Program, and public preschool and other programs, and conduct other
7 activities, such as parent resource centers, that encourage and support parents in more
8 fully participating in the education of their children;

9
10 (5)shall ensure that information related to school and parent programs, meetings, and
11 other activities is sent to the parents of participating children in a format and, to the
12 extent practicable, in a language the parents can understand;

13 (6)shall involve parents in the development of training for teachers, principals and other
14 educators to improve the effectiveness of such training;

15
16 (7)shall involve parents in developing, implementing and evaluating the District-wide
17 Parental Involvement Plan. Strategies and activities of the District-wide Parental
18 Involvement Plan shall be incorporated into the Tennessee Comprehensive System-wide
19 Planning Process;

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21 (8)shall encourage and support the development and experience of active PTA/PTSA
22 organizations to attend parent school meetings each month to discuss school
23 accomplishments, concerns and needs; and

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25 (9)shall offer parents opportunities to participate in training sessions addressing state
26 academic and content standards, state/local assessments, monitoring students' progress,
27 literacy program opportunities, home learning activities to strengthen their child's
28 reading and math skills, use of the internet to access information about their child's
29 progress, parental rights under No Child Left Behind, understanding child development,
30 effective volunteer participation, parent leadership, parent organization involvement,
31 High School Redesign, public school choice options, community services, pre-school/ Head
32 Start programs, adult education programs and community education programs.

33 **Shared Responsibilities for Supporting Student Success for Every Child**

34 SCS will continue to support and be responsible for successful student achievement in
35 Title I schools by:

- 36 ○ Jointly developing, with parents and other school stakeholders, a school-
37 parent compact that outlines expectations and responsibilities of all
38 stakeholders. The compact will identify the shared responsibility to improve
39 student academic achievement. School-parent compact shall:
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- (1) describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the children served by Title I of the Elementary and Secondary Act to meet the State's student academic achievement standards, and the ways in which each parent will be responsible for supporting their children's learning, such as monitoring attendance, homework completion and television watching; volunteering in their child's classroom; and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time; and
- (2) address the importance of communication between teachers and parents on an ongoing basis through, at a minimum --
 - (A) parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as the compact relates to the individual child's achievement;
 - (B) frequent reports to parents on their children's progress; and
 - (C) reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities.
- (3) provide that parents are invited and encouraged to participate in developing the Tennessee Comprehensive System-wide Planning Process.

Accessibility to All Families

SCS will continue to be accessible for all families being served Title I schools by:

- Providing opportunities for the participation of parents with limited English proficiency, parents with disabilities and parents of migratory children.
- Providing school environments that are welcoming, informative and providing schools reports and/or displays in a language that parents can understand.
- Providing invitations to parent meetings and/or workshops that are presented in an understandable language. Such meetings and workshops shall be conducted at varied times and dates throughout the school year, and notification will be sent in a timely manner.
- Providing transportation, childcare and translators for parent involvement activities where applicable and where/if funds permit.

Shelby County Board of Education

5011

Descriptor Term:

NO CHILD LEFT BEHIND ACT OF 2001

PARENT NOTIFICATION

Descriptor Code:

Instruction

Issued Date:

08/26/10

Rescinds:

Issued:

Teachers - If your child's school receives Title I funding, you have the right to know the qualifications of your child's teacher(s) and any paraprofessional providing support to your child. You may request information including the following:

- Whether the teacher has met the State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
- Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria has been waived.
- The undergraduate or bachelor's degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of study of the certification or degree.
- Whether your child is provided services by paraprofessionals, sometimes referred to as Teaching Assistants and if so, their qualifications.
- You shall be provided information on the levels of your child's education and timely notice that your child has been taught for 4 or more consecutive weeks by a teacher who is not highly qualified.

Transfers due to school's failure to make Adequate Yearly Progress for two (2) consecutive years - Pursuant to the *No Child Left Behind Act of 2001*, you have the right to request that your child be transferred to another school if his/her school has not made Adequate Yearly Progress (as defined by the State of Tennessee) for two (2) or more consecutive years. If you would like to request a school transfer on that basis, you must complete the "Request for School Transfer - Public School Choice" form and return the form to Shelby County Schools Student Services. The district will respond to your request within thirty (30) days of receiving the request. The "Request for School Transfer - Public School Choice" form may be obtained on the Shelby County Schools website.

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**COMPLAINT PROCEDURE FOR
FEDERAL PROGRAMS UNDER
THE NO CHILD LEFT BEHIND ACT OF 2001**

Complaint Procedures

Individuals filing complaints concerning federal programs under the *No Child Left Behind Act of 2001* must include the following written information:

- The name of the school, or school system employee alleged to have violated a specific federal requirement in the No Child Left Behind Act of 2001;
- The specific requirement alleged to have been violated;
- The facts on which the complaint is based; and
- What you expect the resolution of the alleged violation to be.

Complaints, which must be signed by the person(s) filing the complaint, are to be sent to: The Shelby County Schools Federal Rights Coordinator named on the Shelby County School website.

Written complaints will be promptly investigated. If additional information is needed, the Federal Rights Coordinator will contact the complainant. For this reason, a telephone number and address of the complainant must be included with the complaint. Failure to provide a telephone number and address will result in SCS not being able to adequately respond to the complaint.

Notification

Within thirty (30) days after the Federal Rights Coordinator receives the complaint, it will be investigated and written findings and a resolution (if any) will be mailed to the complainant.

Appeals

- a. If the complainant disagrees with the findings of fact and the resolution (if any), within ten (10) days of receiving the findings from the Federal Rights Coordinator, the complainant may file a written appeal of the findings and/or resolution to the Superintendent of Shelby County Schools.

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3 b. The Superintendent shall review the written appeal, the findings of fact and
4 the proposed resolution (if any) and within forty-five (45) calendar days shall
5 advise the complainant of his decision.
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7 c. If the complainant is dissatisfied with the findings of fact and/or resolution (if
8 any), he/she may file a complaint with the Tennessee Department of
9 Education, Federal Programs Office.
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13 ***No Child Left Behind Act of 2001***
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Shelby County Board of Education

5013

Descriptor Term:

PROMOTION AND RETENTION

Descriptor Code:

Instruction

Issued Date:

07/27/11

Rescinds:

Issued:

Promotion shall be considered on the basis of what is best for the child in terms of school success. Special consideration for promotion and/or retention shall be given to students with special academic, social, and emotional needs.

In the case of failing work being done by the child, the parents shall be informed early so that the school and home may cooperate in helping him/her improve.

Retention is used to help students improve their knowledge base by providing an additional year of instruction thus addressing the frustration and failure often associated with inadequate skills mastery.

Retention will be considered on an individual basis. Assessment of the student in the context of the total learning situation and its attendant circumstances should be used to determine what is best for the student. If a student's ability to succeed at the next grade level is highly questionable, consideration shall be given to conditional promotion and/or assignment to transitional classes if such classes exist.

Factors to be considered in deciding what is best for the student should include:

1. current skill level;
2. the student's age;
3. achievement potential;
4. previous potential;
5. evaluative data;
6. chances for success with more difficult material when current skills are inadequate;
7. number of absences;
8. maturity level and most importantly;
9. what benefits can be accomplished by retention;
10. previous retention.

A student in the third grade shall not be promoted to the next grade level unless the student has shown a basic understanding of curriculum and ability to perform the skills required in the subject of reading as demonstrated by the student's grades or

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5 standardized test results. However, such student may be promoted if the student
6 participates in a Shelby County Board of Education approved research-based
7 intervention prior to the beginning of the next school year. This provision shall not
8 apply to students who have IEPs pursuant to 20 U.S.C. § 1400 *et seq.*
9

10 A collectively developed educational plan which suggests different strategies and
11 materials should be considered for every student to be retained. Central office personnel
12 shall monitor the progress of the retained students.
13

14 Deficiencies in several of the above areas indicate that retention shall be considered.
15 Retention, however, should not be used as a punitive measure or as a way to hold a
16 student back because of parental wishes when a student's performance does not
17 warrant it or when the school feels retention is inappropriate.
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19 Parents who disagree with the decision of the teacher(s) and principal regarding the
20 promotion or retention of a student may appeal the decision to the Superintendent or his
21 designee. The decision of the Superintendent or his designee shall be final.
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25 **Tennessee State Board of Education Policy No. 3.300**

26 **Tennessee State Board of Education Rule § 0520-01-03**

27 **Tennessee State Board of Education Rule § 0520-01-03-.05**
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Shelby County Board of Education

5014

Descriptor Term:

GRADING SYSTEM FOR GRADES K-5

Descriptor Code:

Instruction

Issued Date:

06/30/11

Rescinds:

Issued:

The grading system for Shelby County Elementary Schools in accordance with the Tennessee Uniform Grading System establishes the grading system for grades kindergarten through fifth grade.

Two (2) report cards are used in grades K-5; (1) for kindergarten; (1) for grades 1-5. Teachers should refer to the appropriate card for an explanation of the grading system for each level.

Kindergarten:

The kindergarten report cards show progress toward the state standards. The grade level standard is set by the state and indicates what a student should know and be able to do. Students are evaluated based on their progress toward meeting benchmarks for each standard. This is indicated by mastery or non-mastery for each skill. Report cards are sent home at the end of each nine-week term.

Grades 1-5:

1. In all schools, students' conduct is graded as "E", "G", "S", "N", or "U" and is to be reported at each grading period on the report card. Self-contained classes receive one homeroom conduct grade. Individual subject classes each give a conduct grade.
2. The basic grading system for knowledge / subject area is expressed by the letters "A", "B", "C", "D", and "F" with the following numerical values except for 1st grade science and social studies which will be expressed by the letter "S" or "N".

A	93-100
B	85-92
C.....	75-84
D.....	70-74
F.....	Below 70

Plus and minus-evaluations are not to be added to letter grades.

The numerical values listed are for teacher use only.

3. Report cards are issued to parents at the end of each nine-week term.

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3 4. In grades 1-5 Integrated Language Arts and Math, a minimum of twelve grades per
4 subject per nine-week term should be recorded for every student. For all other subjects in
5 grades 1-5, a minimum of 9 grades per nine-week term should be recorded. Fifty percent of
6 the required grades must be earned and recorded by the interim of the nine-week term.
7 (These grades could be determined by projects, oral and written assignments, etc.) Term
8 grades given at the end of each nine-week period will be determined by the average of daily
9 work, oral assignments, written assignments and tests. The teacher will assess all student
10 assignments and weigh the value of grades given for various assignments within the nine-
11 week term in computing the term grade. This procedure will enable the teacher to allow for
12 individual student differences in the grading process. Grades for homework assignments
13 should be given with care, since homework may not always be completed by the student
14 himself. Homework assignments are of value in affording students needed practice, and
15 such assignments should be made within practicable limits.
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18 5. Semester grades for grades 1-5 are determined by an average of grades for each of the
19 two nine-week terms. Standardized tests should not be used as the sole measure for
20 passing or failing. The 5th grade Writing Assessment will be factored into the student's
21 4th 9weeks grade.

22 NOTE: Semester examinations are not given in grades 1-5.
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25 6. Final Grade - This grade is determined by averaging the two semester grades.
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27 7. A student's academic grade is solely intended to reflect the student's acquired
28 knowledge, ability, and/or skills in the designated subject. Therefore, academic credit /
29 points may not be awarded or deducted for any purpose that is not directly related to the
30 student's academic performance. For example, academic credit / points may not be awarded
31 as an incentive to participate or achieve a certain goal in a school fundraising event.
32 Academic credit / points may not be deducted for failure to purchase certain brands or
33 types of school supplies. A reasonable number of academic points may be deducted from
34 a student's academic grade for failure to submit homework or other assigned academic work
35 on the date specified by the teacher.
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38 8. Parents are to be notified within a report card period when a student is not doing
39 acceptable work. Parent-teacher conferences should be held for gaining parental support
40 in an effort to improve student performance.
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1 9. Beginning with the 2011-2012 school year, for students in grades 3 - 5, scores on the
2 Tennessee Comprehensive Assessment Program (TCAP) shall comprise 15% of the
3 students' final grade for the spring (second) semester in mathematics, reading/language
4 arts, science and social studies.
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7 **T.C.A. §49-1-614**

8 **Tennessee State Board of Education Rule § 0520-01-03-.05**
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Shelby County Board of Education

5015

Descriptor Term:

GRADING SYSTEM FOR GRADES 6 - 12

Descriptor Code:

Instruction

Issued Date:

06/30/11

Rescinds:

Issued:

Shelby County Board of Education policy in accordance with the Tennessee Uniform Grading System establishes the grading system for grades 6-12.

Report cards are sent to parents at the end of each nine-week period, unless the parents/guardians have exercised their option for paperless reports. Parents must be notified within a report card period when a student is not doing acceptable work. Parent-teacher conferences should be held for gaining parental support in an effort to improve student performance.

In all schools, students' conduct is graded as excellent, satisfactory, needs improvement or unsatisfactory, and the initial letter "E", "S", "N", or "U" is used to report the conduct grade. It is to be reported at each grading period on the report card with each subject grade.

NOTE: If an erroneous grade has been entered, correction must be made and a new card issued to the student.

1. Grades will be reported on report cards and transcript records using numerical values as indicated below:

A.....	93-100
B.....	85-92
C.....	75-84
D.....	70-74
F.....	Below 70

2. Grades given at the end of each nine-week period will be determined by the average of daily work, oral and written assignments, and tests. A minimum of twelve grades for the nine-week period should be recorded for each subject. Fifty percent of the twelve grades should be earned and recorded by the interim of the nine-week term. This gives the teachers the basis for the grades at the end of the grading period. The teacher will assess all student assignments and weigh the value of grades given for various assignments within the nine-week term in computing the term grade. This procedure will enable the teacher to allow for individual student differences in the grading process. Grades for homework assignments should be given with care, since the student himself may not always complete homework. Homework assignments are of value in affording students needed practice, and such assignments should be made within practicable limits.

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4 **NOTE:** Grading systems other than the above must be approved in writing by the
5 Assistant Superintendent for Curriculum and Accountability and the Superintendent.
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7 3. A student's academic grade is solely intended to reflect the student's acquired
8 knowledge, ability, and/or skills in the designated subject. Therefore, academic
9 credit/points may not be awarded or deducted for any purpose that is not directly related
10 to the student's academic performance. For example, academic credit/points may not be
11 awarded as an incentive to participate or achieve a certain goal in a school fundraising
12 event. Academic credit/points may not be deducted for failure to purchase certain brands
13 or types of school supplies. A reasonable number of academic points may be deducted
14 from a student's academic grade for failure to submit homework or other assigned
15 academic work on the date specified by the teacher.
16

17
18 4. Regular attendance should be necessary for passing grades. In the event of an
19 excused absence, students are expected to make up work missed within a reasonable
20 time.
21

22 5. Semester exams are not given in grades 6-8 with the exception of high school level
23 courses. Students who successfully complete a high school course will earn high school
24 credit. Semester grades earned in high school courses mentioned above will be recorded
25 on the high school transcript. The grades earned will be included in the high school
26 GPA.
27

28 6. Beginning with the 2011-2012 school year, for students in grades 6-8, scores on the
29 Tennessee Comprehensive Assessment Program (TCAP) shall comprise 15% of the
30 student's final grade for the spring (second) semester in mathematics, reading/language
31 arts, science and social studies. * The Writing Assessment will be factored into the
32 student's 4th nine-weeks grade.
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35 7. Students who meet only the minimum requirements should be given minimum
36 passing grades. No student should fail for the semester or year if the only failing grade is
37 that of the semester examination, provided the student has made an honest effort on the
38 examination.
39

40 8. Credits will be awarded in .5 increments upon successful completion of a semester.
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42 9. For courses, which have no Tennessee State mandated EOC exam required during a
43 given semester, semester grades are determined by counting the two quarter grades as
44 80% and the semester examination, or a comparable evaluation, as 20%.
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3 10. For courses, which have, a Tennessee State mandated EOC exam required during
4 second semester the semester grades are determined as follows:

- 5 • First semester grades are determined by counting the two quarter grades as
6 80%, the semester examination, or comparable evaluation, as 20 %,
- 7 • Second semester grades are determined by counting the two quarter grades as
8 65%, the semester examination, or comparable evaluation, as 10%, and the state
9 mandated EOC exam as 25%.
- 10 • *The Writing Assessment will be factored into the student's 4th nine-weeks
11 grade.

12
13 11. In all Advanced Placement and International Baccalaureate courses at the
14 secondary level five (5) points shall be added to each quarter numerical grade and each
15 semester exam grade. The two 9 week grades and the semester exam grade, with the
16 points included, will be used to calculate the semester average.

17
18 12. In all grades for Honors courses at the secondary level three (3) points shall be
19 added to each quarter numerical grade, and each semester exam grade. The two 9 week
20 grades, the semester exam grade, with the added Honors course points included, will be
21 used to calculate the semester average.

22
23 13. A student having a 90 or higher average for the two terms in a specific course, and
24 having three (3) or fewer excused absences in that same course will be exempted from
25 the semester exam if the student desires. When a student is exempted from the
26 examination, the semester average will be the average of the two term grades and any
27 state-mandated exam as outlined in Number 9. ANY UNEXCUSED ABSENCE IN THE
28 COURSE WILL DISQUALIFY THE STUDENT FROM ALL EXEMPTIONS.
29 EXEMPTIONS APPLY ONLY TO TEACHER-MADE SEMESTER EXAMINATIONS.
30 12th grade students are eligible for exam exemption during both semesters. All other
31 students in high school courses who meet the above requirements may be exempted for
32 only the second semester exam.

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36 **Tennessee State Board of Education Rule § 0520-1-3-.05**

37 **Tennessee State Board of Education Rule § 0520-1-3-.06**
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6000

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Shelby County Board of Education

6001

Descriptor Term:

**HIGH SCHOOL STUDENT
ADVISORY COUNCIL**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

In order to provide for direct communication among school system administrators, school board members, and students, regular informal meetings will be held to include representatives of these groups.

Prior to each evening school board meeting, the Superintendent, Superintendent's staff, and Board members will invite one (1) Student Council representative from each high school and one (1) student with an overall academic average that is between 75 and 89 selected by the school principal, along with the system-wide student representative nominated to the State Board of Education to discuss school board policy issues which directly affect students in the Shelby County Schools system. Student representatives will be invited to attend these designated meetings which will last no longer than one and one-half (1 1/2) hours. Discussion will be limited to system-wide policy issues which fall within the scope of local school board responsibility.

Shelby County Board of Education

6002

Descriptor Term:

SCHOOL ADMISSIONS

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

All persons of ages between five (5) and up to the eighteenth birthday, who reside in the Shelby County Schools district may attend the public schools, unless they have been expelled for disciplinary reasons. Thereby all students who live in the Shelby County Schools district with their parents or legal guardians shall be admitted to the public schools without payment of tuition. Proof of legal residence and legal custody are required.

Under law, all students entering school for the first time shall have a complete medical examination. A doctor of medicine, osteopathic physician, physician assistant, certified nurse practitioner, or a properly trained public health nurse shall perform this examination.

As prescribed by law, no child entering school for the first time shall be permitted to enroll until proof of immunization is given to the principal. Parents or legal guardians shall be responsible to have their children immunized against designated diseases as authorized by the Commissioner of Health.

Proof of immunization shall be established by a certificate of immunization listing all immunizations which a student has received. All certificates of immunization shall be on forms furnished by the Department of Health.

In the absence of an epidemic or immediate threat thereof, immunizations shall not be required of any child whose parent or guardian shall file with the school Principal a signed, written statement that such immunization and other preventive measures conflict with the parent's or guardian's religious tenets and practices affirmed under the penalties of perjury.

Immunizations shall not be required if a qualified physician shall certify that administration of such immunization would be in any manner harmful to the child involved.

Tennessee State Board of Education Rule § 0520-1-3-.08

T.C.A. § 49-6-5001

T.C.A. § 49-6-5002

Shelby County Board of Education

6003

Descriptor Term:

**SCHOOL ADMISSIONS FOR
HOMELESS STUDENTS**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

1) The McKinney-Vento Act (Section 725) defines "homeless children and youth" as individuals who lack a fixed, regular, and adequate nighttime residence, including children and youth who are:

- Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
- Living in motels, hotels, trailer parks, camping grounds, cars, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings due to the lack of alternative adequate accommodations;
- Living in emergency or transitional shelters;
- Abandoned in hospitals;
- Awaiting foster care placement;
- Migratory children who qualify as homeless because they are living in circumstances described above; or
- Unaccompanied youth, including youth not in the physical custody of a parent or guardian, such as runaways and youth denied housing by their families.

2) The aforementioned youth have the following rights:

- a) The right to immediate enrollment in school, even if lacking paperwork normally required for enrollment;
- b) The right to attend school in his/her school of origin (if this is requested by the parent and is feasible) or in the school in the attendance area where the family or youth is currently residing;
- c) The right to receive transportation to his/her school of origin, if this is requested by the parent;
- d) The right to services comparable to those received by housed schoolmates, including transportation and supplemental education services;
- e) The right to attend school along with children not experiencing homelessness. Segregation based on a student's status as homeless is strictly prohibited.

The rights of homeless students as defined above shall be posted in all schools and other places around the community.

Title X, Part C of the No Child Left Behind Act

Title VII-B of the McKinney-Vento Homeless Education Act of 2001

Shelby County Board of Education

6004

Descriptor Term:

ENTRANCE AGE

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

A child must be five (5) years of age on or before September 30 of the current school term to be admitted to kindergarten.

A child must be six (6) years of age on or before September 30 of the current school term to be admitted to the first grade. After July 1, 1993, all children entering the first grade must have attended an approved kindergarten.

Any transfer student legally enrolled as a first grade student in another state who will be six (6) years of age no later than December 31 of the current school year, making application for admission, shall be enrolled in the Shelby County Schools.

Any child legally enrolled in an approved kindergarten in another state during the preceding school year and who could have enrolled in the first grade in that state in the current school year, making application for admission, shall be enrolled in the first grade in the Shelby County Schools provided he is six (6) years of age on or before December 31 of the current year.

Parents or guardians of children entering school for the first time shall present a certified birth certificate or satisfactory proof of age upon entrance into the Shelby County Schools.

Children with disabilities may be enrolled in the Shelby County Schools provided the eligibility requirements as determined by the state of Tennessee have been met.

Tennessee State Board of Education Rule § 05020-1-3-.09

Shelby County Board of Education

6005

Descriptor Term:

**CUT-OFF DATE FOR
ENTERING KINDERGARTEN**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

Parents are encouraged to enroll students who are of legal age in kindergarten at the beginning of the school year. Students who have not been enrolled previously in kindergarten will not be accepted after the first thirty (30) days of the school year. Students who have been enrolled previously in an approved kindergarten will be accepted at any time.

T.C.A. § 49-6-3001

Shelby County Board of Education

6006

Descriptor Term:

**ELIGIBILITY OF STUDENTS TO
ATTEND SHELBY COUNTY SCHOOLS**

Descriptor Code:

Students

Issued Date:

06/30/11

Rescinds:

Issued:

Proof of Residence

Unless otherwise prohibited by law, parents, guardians or other persons having lawful control of students must provide the following proof of residence in order to enroll a child in Shelby County Schools.

General Proof of Residency

The parent, guardian or other person having lawful control of the student must provide two (2) of the following items listed below:

- 1) Driver's license or other State or Government (military) issued identification bearing the address at which the student will be residing during the current school year.
- 2) Most recent MLGW bill of the owner, renter or lessee of the home in which the student will reside during the current school year or a municipal water bill;
- 3) Mortgage statement or deed of the owner of the home in which the student will reside during the current school year;
- 4) Lease of the lessee of the home in which the student will reside during the current school year;
- 5) Rental Agreement of the renter of the home in which the student will reside during the current school year;
- 6) Real Estate tax receipt.
- 7) In the event that two (2) of the items listed in Nos. 1-6 above cannot be provided, residency may be established by submitting to the office of the Shelby County Schools' Student Services Department other documentation deemed to be appropriate proof of residence in the sole discretion of the Shelby County Schools' Student Services Department.

Shared Residency Requirements

In the case in which a student resides with his/her parents, guardian/s or other persons having lawful control of student, in the home of someone other than his/her parents, guardian/s or other persons having lawful control of the student:

- A. The homeowner of the home in which the student resides must accompany the parent/guardian to registration and provide two (2) of the items listed in Nos. 1-7 of the **General Proof of Residency Section** above.
- B. The parent, guardian or other person having lawful control of the student claiming shared residency must provide two (2) of the following items listed below:
 - 1) **Driver's license or other State or Government (military) issued identification** of the parent, guardian or other person having lawful control of the student, bearing the address at which the student will be residing during the current year;
 - 2) **Car registration** of the parent, guardian or other person having lawful control of the student bearing the address at which the student will be residing during the current school year;
 - 3) **Voter registration** of the parent, guardian or other person having lawful control of the student bearing the address at which the student will be residing during the current school year;
 - 4) **Payroll stub** of the parent, guardian or other person having lawful control of the student bearing the address at which the student will be residing during the current school year;
 - 5) **Three (3) significant pieces of mail** with a forwarding sticker bearing the address at which the student will be residing during the current school year;
 - 6) **Government Assistance Communication** directed to the parent, guardian or other person having lawful control of the student bearing the address at which the student will be residing during the current school year.
 - 7) In the event that two (2) of the items listed in Nos. 1-6 directly above cannot be provided, residency may be established by submitting to the office of the Shelby County Schools' Student Services Department other documentation deemed to be appropriate proof of residence in the sole discretion of the Shelby County Schools' Student Services Department.

Fraudulent Enrollment

When it is conclusively determined that a student is out of district, the school will send a standardized letter to the parent/guardian stating that the child will be withdrawn. The withdrawal date provided by the school will be no less than two (2) and no more than six (6) business days from the date the letter is issued. Once a letter is sent to the parent, Student Services staff will conduct all future dialogues with the parent.

If the school suspects that a child resides outside of the Shelby County Schools district but is unable to substantiate the suspicion, the principal will report the information to Student Services for further investigation. The child will remain enrolled at the school while the investigation is conducted. All referrals to Student Services for residency verification will come directly from the principal or the principal's designee.

If Student Services verifies that a student is out of district, then Student Services will send a letter to the parent/guardian advising that the student must be immediately withdrawn. The school will also receive a copy of this letter. If Student Services is unable to conclusively verify the residency in question, the information will be referred to the Director of Safety and Security for further investigation. All referrals to the Director of Safety and Security will come directly from Student Services.

Cases investigated and substantiated by the Director of Safety and Security will be reported to the Assistant Superintendent of Student Services. The Assistant Superintendent will forward these cases to Shelby County Schools' General Counsel as deemed appropriate. After conferring with all offices involved in the investigative process, Shelby County Schools' General Counsel will make a determination about pursuing legal remedies pertaining to fraudulent enrollment.

"Any parent, guardian, or other legal custodian who enrolls an out-of-district student in a school district and fraudulently represents the address for the domicile of the student for enrollment purposes is liable for restitution to the school district for an amount equal to the local per pupil expenditure identified by the Tennessee Department of Education for the district in which the student is fraudulently enrolled." In the case of out-of-state enrollment, the "parent, guardian, or other legal custodian is liable for restitution to the school district for an amount equal to the state and local per pupil expenditure identified by the Tennessee Department of Education.... Restitution shall be cumulative for each year the child has been fraudulently enrolled in the system. Such restitution shall be payable to the School District and, when litigation is necessary to recover restitution, the parent, guardian, or other legal custodian shall be liable for costs and fees, including reasonable attorneys' fees, incurred by the School District." T.C.A § 49-6-3003

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2 In the event that a person, other than a student's parent, guardian, or other legal
3 custodian, provides proof of a student's residence, that person shall sign a statement
4 affirming that the student is in fact residing in their home. The person signing the
5 statement affirming that the student is residing in their home shall also sign in agreement
6 that if they are found to have falsely represented that the student is residing in their
7 home, the person signing the statement shall be responsible for paying to Shelby
8 County Schools, an amount equal to Shelby County Schools' local per pupil expenditure
9 identified by the Tennessee Department of Education. A student relying upon proof of
10 residency of a person other than the student's parent, guardian, or other legal custodian
11 shall not be enrolled in Shelby County Schools unless the person providing the proof
12 of the student's residence signs the aforementioned agreement.
13

14
15 In accordance with state law, fraudulent enrollment cases which are substantiated and
16 identified as being cases for which a legal remedy should be sought by Shelby County
17 Schools' General Counsel, will be legally pursued using the remedies available under
18 T.C.A §49-6-3003.
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20 **T.C.A. § 49-6-3003**
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Shelby County Board of Education

6007

Descriptor Term:

**ADMISSION OF
FOREIGN EXCHANGE STUDENTS**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

Application for admission to Shelby County Schools will be made through the Student Services Department.

Foreign Exchange Students

The Shelby County Schools System will accept students from other nations who come to the county via well established and recognized exchange programs as approved by the Shelby County Board of Education. The students may be enrolled in any of the high schools served by the Shelby County Schools System. The system retains the right to maintain an equitable distribution of exchange students among the high schools and to limit the number of exchange students if necessary. The Shelby County Schools System will accept a maximum of twenty-one (21) students annually from other nations who reside with a resident of Shelby County served by the Shelby County Schools System.

This policy will be administered in accordance with the attached Board approved regulation.

Shelby County Board of Education

6008

Descriptor Term:

STUDENT TRANSFER POLICY

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

The Student Services Department will meet annually to determine which schools are open to transfers. Applications will be accepted and considered based upon the following:

The transfer application period for all students will be from **January 15th through the close of business on March 1st**. Submissions should be made prior to the upcoming school year. Transfer requests will not be considered after these dates except for those that qualify as an eligible circumstance.

Eligible circumstances include:

- Death of parent/guardian
- Divorce of parent/guardian
- Moving
- Safety concerns resulting from being a victim of a violent crime at school

Eligible circumstances are intended to allow a child to remain and or transfer to a school when the above circumstances arise during the course of a regular school year.

Criteria For Transfers To Elementary/Middle/High School

Transfer requests shall be considered by the following priority schedule:

Transfers Automatically Granted

1. Children of Shelby County Schools' employees residing within the boundaries of Shelby County may receive transfers for their children to any Shelby County school. Eligible individuals must be permanent full time employees. This designation does not include interim employees.
2. A previously granted transfer will remain in effect through the child's exit grade at a particular school, provided the child continues to meet the eligibility requirements and remains at the same address provided on the original request. Written confirmation will be sent to the parent prior to registration each year.

3. Students with siblings already at a school may request a transfer to the same school as their enrolled sibling. If a student is granted a transfer based on their siblings' enrollment at a school, the student shall be permitted to attend the school to which they were transferred through that particular school's exit grade level. Both siblings must be enrolled at the requested school during the school year sibling attendance is requested.
4. High school seniors may request to remain at the school they attended during their 11th grade year if their parents move outside of the Shelby County Schools District but remain within the boundaries of Shelby County.
5. Students whose school assignment has been changed due to rezoning will be considered for transfers to the last school attended where space is available if they are entering an exit grade the year that rezoning occurs.

Transfers Granted Only When Space Is Available

6. High school students may request a transfer to a school that offers a course of study that is not currently offered at their assigned school. Requests will be evaluated based upon spaces apportioned for the course and if granted, the student will be required to enroll in the requested course upon admission.
7. Students residing within the Shelby County Schools attendance zone boundaries may accept a transfer to any school within the Shelby County Schools System after the school district grants transfers requested pursuant to priorities 1-6 above. These requests will be considered on a first come first served basis.

****Eligible applicants must reside within the designated attendance zone boundaries for Shelby County Schools. Exceptions to this requirement will be made only for the following circumstances:**

- Priority four (4) listed above
- Employees of The Shelby County School System who reside within the boundaries of Shelby County but outside of the designated attendance zone boundaries for Shelby County Schools
- Enrollment Prior to Residency

*****Parents are required to provide all transportation for approved transfer requests with the exception of transfers resulting from safety concerns.**

**** Transfer of Students Who Are A Victim Of A Violent Crime****

A student who is the victim of a violent crime on school property may request a transfer to another school within ten (10) days of the offense. Student transportation will be provided for granted transfers resulting from this circumstance.

Enrollment Prior to Residency

A student whose family relocates to the Shelby County Schools district may enroll in the school designated by the family for future residency prior to move-in, provided the move to the school's attendance zone will occur no later than the end of the current school semester. In order to be approved under these circumstances, the parent/guardian must submit one or more of the following items to Student Services :

- A letter from the employer documenting the recent job relocation
- A copy of the sales contract or lease agreement documenting a closing/move-in date on or before the end of the current school semester.
- A copy of the transitional housing lease/rental agreement

If residency in the specified school attendance zone does not occur prior to the end of the current semester, the student will be required to withdraw.

*Documentation required by Student Services will be dependent upon the specific details of the situation presented.

- Parents will submit Transfer Application Requests by the appropriate deadline to the Student Services Department.
- The Student Services staff will determine which transfers will be granted and which will be denied according to the established Shelby County Schools transfer criteria listed above. Letters will be sent to parents notifying them of the transfer decision. Response letters will be postmarked no later than June 15th.
- At its first Board meeting in January, the Shelby County Schools Board of Education shall designate a Board committee (hereinafter "the Committee") which shall be comprised of one (1) Board member and two (2) Shelby County Schools employees who are not employees of the Shelby County Schools Student Services Department to take testimony and decide challenges to student assignments. The Board member serving on the Committee shall be elected by a majority vote of the Board membership at its first Board meeting in January. The Board may designate more than one (1) Board member to serve on the Committee on a rotating basis, but not more than one Board member may serve on the Committee at one time. The Superintendent shall designate the two (2) Board employees who will serve on the Committee by no later than the date of the first Board meeting in January.

- Parents may appeal denied requests for student assignments to the Shelby County Board of Education within ten (10) business days of the date on which the determination of the student assignment was made. After receiving the appeal, the Board shall refer the appeal to the Board Committee assigned to hear appeals. The Committee shall provide written notice of the date and place of the hearing to the parents, guardian or legal custodian of the child by mailing a notice of hearing to the party at the party's last known mailing address at least ten (10) days before the date of the hearing. The Committee shall take testimony and shall make a decision on the basis of the entire record. (FN Each hearing shall be video recorded. It shall be the responsibility of the Committee to ensure that the video recorder has been secured for the hearing.)
- Within a reasonable time after the completion of the hearing, the Committee shall enter a written order either granting or denying the appeal of the assignment. A copy of the order and the findings of the Committee shall be mailed by the Committee to all parties appearing at the hearing at their last known mailing address within five (5) business days from the date of the order.
- Both parents, if living, or the parent, guardian or legal custodian of a child assigned by a final order of the Committee, may, at any time within thirty (30) days from the date of the final order, obtain a judicial review of the order by filing a petition for review in the chancery court of the county where the Board of Education is located.

Shelby County Board of Education

6009

Descriptor Term:

ATTENDANCE ZONE POLICY

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

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3 A. Attendance zone changes may be implemented for reasons including, but not limited to,
4 the need to equalize enrollment when overcrowding exists, to plan for anticipated
5 student population growth or decline, to modify school feeder patterns, or to promote
6 the efficient use of transportation services.
- 7 B. The Shelby County Schools Planning Department shall conduct an annual review of
8 student enrollment, facility utilization and projected growth to ascertain the need for
9 revisions to existing attendance zones and for the creation of attendance zones for new
10 schools. The Planning Department shall report the findings of the review to the
11 Superintendent.
- 12 C. If the Superintendent agrees that the results of the annual review justify rezoning, the
13 Superintendent shall recommend to the School Board an initiation of the rezoning
14 process. If by majority vote the Board expresses its agreement with the Superintendent
15 that rezoning is necessary, the Board shall direct the Superintendent to commence the
16 planning process.
- 17 D. As soon as practical, the Superintendent shall hold an initial public meeting to explain
18 the rezoning process, outline the criteria for establishing attendance zones, and to
19 provide an opportunity for public input.
- 20 E. After considering the public's comments, the Superintendent shall direct the SCS
21 Planning Department to prepare at least two (2) alternative rezoning proposals to
22 present at a public meeting. The criteria used to prepare the proposals shall comply with
23 the following criterion to the extent practicable:
24

25
26 **Capacity** - The proposals shall attempt to cause schools to be operated at or under
27 capacity. Schools are considered significantly over capacity if they operate in excess of 100
28 percent utilization and significantly underutilized if they operate at less than 50 percent
29 utilization.

30
31 **Projected Enrollment** - The proposals shall take into consideration current enrollment
32 combined with future enrollment.

33
34 **Transportation Efficiency** - The proposals shall, to the extent practicable, minimize the
35 duration of travel time and distance in order to promote safety and reduce transportation
36 costs.

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38 **Geographic Barriers** - To the extent practicable, the proposals should take into
39 consideration contiguous communities as defined by natural barriers, roads, railways, TVA
40 lines, etc.

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3 **Rezoning History** - To the extent practicable, the proposals shall attempt to avoid
4 rezoning neighborhoods where multiple rezonings have occurred more than once in a
5 three (3) year period.
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8 **School Feeder Patterns** - To the extent practicable, the proposals shall attempt to align
9 elementary, middle and high school attendance zones.
10

- 11 F. At the next public meeting the Superintendent and/or the SCS Planning Department
12 shall present at least two (2) rezoning alternatives for review and discussion of the
13 strengths and weaknesses of each proposal and an appropriate time will be provided
14 for questions and appropriate answers. At such meeting, the appropriate data
15 relative to each element of subparagraph E shall be provided as part of the
16 discussion of each alternative. Additionally, staff will establish a dedicated web
17 presence for the rezoning and will display questions and answers reflective of the
18 concerns of the public.
19 G. As soon as practical after the second public hearing, the Superintendent shall
20 recommend to the Board one of the alternatives presented at the second public
21 meeting
22 H. If possible, the School Board will take action on the final attendance zone plan
23 recommended by the Superintendent not less than thirty (30) days from the
24 presentation of alternatives but by no later than March prior to the year the rezoning
25 takes place. However, should extenuating circumstances as determined by the
26 Superintendent and the Board necessitate an emergency rezoning action, the Board
27 shall direct the Superintendent to initiate the rezoning process more quickly and the
28 Board will take action accordingly.
29 I. Changes approved to school attendance zones during a current school year shall
30 become effective beginning at the commencement of the following school year,
31 unless extenuating circumstances require the Board to implement zoning changes
32 prior to the following school year.
33 J. Enrollment eligibility in each attendance zone shall be based on the provisions
34 adopted by the Shelby County Board of Education.
35 K. Prior to implementing changes to any attendance zones, parents or guardians shall
36 be provided prior notice of the rezoning plan adopted by the Board. Notice to
37 parents or guardians may include, but is not limited to, rapid notice, electronic
38 communication and the Shelby County Schools website.
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Shelby County Board of Education

6010

Descriptor Term:

**ATTENDANCE: STUDENTS BEYOND
COMPULSORY ATTENDANCE AGE**

Descriptor Code:

Students

Rescinds:

Issued Date:

08/26/10

Issued:

Any student having passed the compulsory attendance age may be dropped from the rolls after three (3) consecutive unexcused absences, or an aggregate five (5) unexcused absences, from class or school.

Shelby County Board of Education

6011

Descriptor Term:

**ENROLLMENT OF STUDENTS BEYOND
COMPULSORY EDUCATION AGE**

Descriptor Code:

Students

Rescinds:

Issued Date:

08/26/10

Issued:

No student who has reached the age of eighteen (18) shall be permitted to enroll in the Shelby County Schools after the first twenty (20) day attendance period of each semester. An exception will be made if the student can show proof of satisfactory attendance in another school system during the first twenty (20) day period, if a doctor's certificate states that illness has prevented enrollment during the first twenty (20) day period, or if the District is required to permit the student to enroll under the Individuals with Disabilities Education Act.

During the first twenty (20) days of each semester, those students who fall in the following categories will be admitted only by special permission of the principal of the school where they seek admission:

1. Twenty (20) years of age or older;
2. Nineteen (19) years old and in the eleventh (11) grade or lower;
3. Eighteen (18) years old and in the tenth (10) grade or lower.

T.C.A. § 49-6-3001

Shelby County Board of Education

6012

Descriptor Term:

REGULARLY ENROLLED STUDENTS

Descriptor Code:

Students

Rescinds:

Issued Date:

08/26/10

Issued:

All students in grades 9-12 will be required to enroll in at least five (5) units of credit per semester.

NOTE: Exception to the above must be approved by the Assistant Superintendent of Curriculum & Instruction.

Shelby County Board of Education

6013

Descriptor Term:

PARTICIPATION IN SCHOOL PROGRAMS

Descriptor Code:

Students

Rescinds:

Issued Date:

08/26/10

Issued:

In order for a student to be eligible to participate in any curricular or extracurricular school-sponsored program or activity, he/she must be a regularly enrolled student in the Shelby County Schools system.

Shelby County Board of Education

6014

Descriptor Term:

ATTENDANCE AND EXCUSES

Descriptor Code:

Students

Rescinds:

Issued Date:

08/25/11

Issued:

The Shelby County Board of Education believes that regular attendance is a necessary requirement of all students and that any student with the maturity and interest should be included in some phase of the school program.

All students are expected to attend school on each day that school is officially in session. Only the following reasons will be considered for excused absences:

1. Illness or hospitalization of student. Physician verification will be required to justify absences after the accumulation of ten (10) days of absence during a school year. Notes must be date specific and will be required for subsequent absences beyond ten (10) days.
2. Death or serious illness within the student's immediate family.
3. When the student is officially representing the school in a school sponsored activity.
4. Special and recognized religious holidays regularly observed by persons of their faith.
5. Legal court summons not as a result of the student's misconduct.
6. Extenuating circumstances over which the student has no control as approved by the principal.
7. If a student's parent, custodian or other person with legal custody or control of the student is a member of the United States Armed Forces, including a member of a state National Guard or a Reserve component called to federal active duty, the student's Principal shall give the student:
 - (a) An excused absence for one (1) day when the student's parent, custodian or other person with legal custody or control of the student is deployed;

1 (b) An additional excused absence for one (1) day when the student's
2 parent, custodian or other person with legal custody or control of the
3 student returns from deployment; and
4

5 (c) Excused absences for up to ten (10) days for visitation when the
6 student's parent, custodian or other person with legal custody or
7 control of the student is granted rest and recuperation leave and is
8 stationed out of the country.
9

10 Students receiving an excused absence under this section shall have the
11 opportunity to make up school work missed and shall not have their class
12 grades adversely affected for lack of class attendance or class participation
13 due to the excused absence.
14

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16 If necessary, verification is required from an official or other source to justify
17 absences.
18

19 All absences other than those outlined above shall be considered unexcused.
20

21 A written statement, within two (2) school days of the student's return to school,
22 shall be required from the parent or guardian explaining the reason for each absence.
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24 Any administrative decision regarding attendance may be appealed to the Student
25 Services Department.
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Shelby County Board of Education

6015

Descriptor Term:

PREGNANT AND MARRIED STUDENTS

Descriptor Code:

Students

Rescinds:

Issued Date:

08/26/10

Issued:

Marital, maternal, or paternal status shall not effect the rights and privileges of students to receive a public education nor to take part in any extracurricular activity offered by the school.

Pregnant students shall be offered three (3) hours of homebound instruction per week throughout a six-week period of maternity leave.

If at the conclusion of such period of maternity leave the student's physician certifies in writing that the student's medical condition prevents the student from returning to regular classes, then Shelby County Schools shall continue to offer three (3) hours of homebound instruction per week, subject to periodic recertification that the student remains medically unable to attend class because of health complications arising from the pregnancy.

T.C.A. § 49-10-1101

Shelby County Board of Education

6016

Descriptor Term:

TRUANCY

Descriptor Code:

Students

Rescinds:

Issued Date:

07/27/11

Issued:

Unauthorized absence from school is considered truancy and will be treated as such.

This includes absence from any class, study hall, or activity during the school day for which the student is scheduled. Principals may also determine whether a student is considered to be truant by failing to attend remedial instruction occurring outside of the regular school day, including but not limited to programs conducted during the summer and after the conclusion of the regular school day pursuant to state law.

If a student receives five (5) or more absences during the school year without adequate excuse, the Superintendent shall notify the parents that the student is required to attend school. If within 3 days of receiving the notice, the parent has failed to comply, the Superintendent shall notify the District Attorney General and/or local law enforcement of this fact and legal action shall be taken against the parent as provided by T.C.A. § 49-6-3007.

This does include five (5) year old students who have attended school for six (6) weeks.

T.C.A. § 49-6-3007

T.C.A. § 49-6-3001, et seq.

Shelby County Board of Education

6017

Descriptor Term:

**CHILD ABUSE AND
CHILD SEXUAL ABUSE**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

Definitions

For purposes of this policy as provided in T.C.A. §37-1-403(i) "school" means any public or privately operated child care agency as defined in T.C.A. §71-3-501 which includes preschool, nursery school, kindergarten, elementary or secondary school.

- a. It is the law of the state of Tennessee that teachers or other persons employed in the public schools are required to report suspected child abuse and neglect.
- b. An abused or neglected child shall mean any child less than 18 years of age whose parent(s) or other person responsible for the child's care:
 1. Creates or inflicts, threatens to create or inflict, or allows to be created or inflicted upon such a child a physical or mental injury by other than accidental means, or creates a substantial risk of death, disfigurement, impairment of bodily or mental functions;
 2. Neglects or refuses to provide care necessary for the child's health;
 3. Abandons such child; or
 4. Commits or allows to be committed any sexual acts upon a child in violation of the law.

REPORTING OF BRUTALITY, ABUSE, NEGLECT OR CHILD SEXUAL ABUSE

Any person who has knowledge or is called upon to render aid to a child who is suffering from or has sustained any wound, injury, disability or physical or mental condition shall report this type harm immediately, if caused by brutality, abuse or neglect. (T.C.A. § 37-1-403) Any person with such knowledge shall report by phone or otherwise to the Department of Children's Services (DCS) and simultaneously report such action to the Principal of the school, Director of Counseling or law enforcement agency.

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2 **NOTIFICATION TO PARENTS OF ABUSE ON SCHOOL GROUNDS OR UNDER**
3 **SCHOOL SUPERVISION**

4 Pursuant to the future well being of the child, school teachers, school officials or any
5 other school personnel who have knowledge or reasonable cause to suspect: (1) that a
6 child who attends the school may be a victim of child abuse or child sexual abuse, and (2)
7 that the abuse occurred on school grounds or while the child was under the supervision
8 of the school, the following actions shall be taken:
9

- 10
11 a. If the alleged abuser is a school employee, the employee shall immediately be
12 placed on paid administrative leave pending investigation. If the alleged abuser is
13 a student, the student shall be given due process and shall be separated either by
14 suspension, expulsion or otherwise from the alleged victim pending investigation.
15
16 b. The Principal shall notify the Department of Children's Services.
17
18 c. The Principal shall verbally notify the parent or legal guardian of the child within
19 twenty-four hours with coordination with the Department of Children's Services.
20 **The notice shall not be given to any parent or legal guardian if there is**
21 **reasonable cause to believe that the parent or legal guardian may be the**
22 **perpetrator or in any way responsible for the child abuse or child sexual abuse.**
23
24 d. After the parent or legal guardian has been given notice, the Principal or
25 designated person, shall provide the parent or legal guardian all school
26 information and records relevant to the alleged abuse or sexual abuse, if requested
27 by the parent or legal guardian; provided that the information is edited to protect
28 the confidentiality of the identity of the person who made the report, any other
29 person whose life or safety may be endangered by the disclosure and any
30 information made confidential pursuant to Federal law of T.C.A. §10-7-504. Other
31 agencies or departments' records shall not be released.
32
33 e. The Principal shall contact the Student Federal Rights Coordinator and the
34 Employee Federal Rights Coordinator who shall immediately commence an
35 investigation of the complaint.
36
37 f. After the investigation by the Federal Rights Coordinators has been concluded,
38 the Federal Rights Coordinators shall contact the Principal regarding their
39 findings and in the event the charges are substantiated, appropriate disciplinary
40 action shall be taken against the alleged abuser.
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2 g. If the charges are substantiated, the Principal shall advise the parents of the
3 measures that have been taken to ensure that no further instances of child abuse
4 or child sexual abuse occur again in the future.
5
6 h. If a teacher, school official or any other school personnel has knowledge or
7 reasonable cause to suspect that a child who attends such school may be a
8 victim of child abuse or child sexual abuse sufficient to require reporting and that
9 the abuse occurred on school grounds or while the child was under the
10 supervision or care of the school, then the principal or other person designated
11 by the school shall verbally notify the parent or legal guardian of the child that a
12 report has been made and shall provide other information relevant to the future
13 well-being of the child while under the supervision or care of the school. The
14 verbal notice shall be made in coordination with the Department of Children's
15 Services to the parent or legal guardian within twenty-four (24) hours from the
16 time the school, teacher, school official or other school personnel reports the
17 abuse to the Department of Children's Services; provided, that in no event may
18 the notice be later than twenty-four (24) hours from the time the report was made.
19 The notice shall not be given to any parent or legal guardian if there is
20 reasonable cause to believe that the parent or legal guardian may be the
21 perpetrator or in any way responsible for the child abuse or child sexual abuse.
22
23

24 Once notice is given as provided above, the principal or other designated person
25 shall provide to the parent or legal guardian all school information and records
26 relevant to the alleged abuse or sexual abuse, if requested by the parent or legal
27 guardian; provided, that the information is edited to protect the confidentiality of
28 the identity of the person who made the report, any other person whose life or
29 safety may be endangered by the disclosure, and any information made
30 confidential pursuant to federal law or T.C.A. § 10-7-504(a)(4). The information
31 and records described above shall not include records of other agencies or
32 departments.
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35 **Penalties**

36 Any person required to file a report regarding suspected child abuse and neglect who is
37 found guilty of failure to do so is subject to disciplinary action up to and including
38 termination, as well as current legal penalties established by the state and legislature.
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3 Any employee found to have committed child abuse or child sexual abuse upon any
4 Shelby County student shall be terminated from their employment with Shelby
5 County Schools.

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7 Any student found to have committed child abuse or child sexual abuse upon
8 another student shall receive the appropriate disciplinary action which may include
9 expulsion.
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15 **T.C.A. § 37-1-403**

16 **T.C.A. § 37-1-410**

17 **T.C.A. § 37-1-605**

18 **T.C.A. § 49-6-1601**
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Shelby County Board of Education

6018

Descriptor Term:

**MOTOR VEHICLE OR
PERMIT LICENSE REVOCATION**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

Any student fifteen (15) years of age or older who becomes academically deficient or deficient in attendance shall be reported to the Department of Safety for motor vehicle or permit license revocation.

A student shall be deemed academically deficient if he/she has not received passing grades in at least three (3) full unit subjects or their equivalency at the end of semester grading.

A student shall be deemed deficient in attendance when he/she drops out of school or has ten (10) consecutive or fifteen (15) days total unexcused absences during a single semester. Suspensions shall be considered unexcused absences.

A copy of the notice sent to the Department of Safety by school personnel shall also be mailed to the student's parent or guardian.

T.C.A. § 49-6-3017

T.C.A. § 55-50-502

T.C.A. § 55-50-511, *et seq.*

Shelby County Board of Education

6019

Descriptor Term:

**STUDENT RIGHTS AND
DUE PROCESS**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

Every student has the right to due process guaranteed by the Constitution of the United States of America.

The student is, in all except the most minor disciplinary cases, to be granted a hearing before the principal with every precaution being taken to ensure that the rights of the student are protected.

Before any disciplinary action is taken, the principal or the teacher must advise the student of his or her right to a hearing.

Students are to be reminded that in exercising their rights they must not interfere with the rights of others, disrupt the educational process, or violate the laws of the Federal, State and local government or the policies of the Shelby County Board of Education.

Shelby County Board of Education

6020

Descriptor Term:

STUDENTS OF LEGAL AGE

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

Every student eighteen years of age or older shall follow all rules, regulations and procedures that any student under the age of eighteen must follow. The only exception to this is in a situation when a student eighteen years of age or older is not allowed to reside with his/her parent/legal guardian by the parent/legal guardian and a notarized statement from the parent/legal guardian to that effect is on file with the Director of Student Services. In this case and this case only the following conditions apply:

1. School Assignment

The student's residence will determine school placement.

2. Absences/Lateness/Ttruancy

Absence notes, normally signed by parents or guardians, may be signed by students.

3. Suspensions/Expulsion

All suspension and/or expulsion proceedings shall conform to the suspension policy of the Shelby County Board of Education. Students of legal age not residing with their parents/legal guardian are permitted to represent themselves upon reinstatement to school following a suspension.

4. Withdrawal from School

Students of legal age not residing with their parent/legal guardian may withdraw from school under their own cognizance.

5. Alcohol and Drugs

The use, possession, or distribution of alcohol or drugs in the building, on school grounds, or at school-sponsored activities is prohibited. Students under the influence of either shall be subject to disciplinary procedures. The school administration may involve police action, where advisable, without parental consent.

6. Permission to Inspect Student Records

Students of legal age may request permission to inspect their personal school record but may review same on a "need to know" basis only.

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3 7. Excuses from School

4 The principal/designee may grant permission for students to leave school early
5 for reasons such as job interviews, college visits, and driver testing. Permission
6 to leave school early may be denied if the request is invalid or unreasonable.
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9 8. Financial Responsibility

10 Students of legal age can be held financially responsible for damage to school
11 property, unless Public Chapter 668 would apply.
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Shelby County Board of Education

6021

Descriptor Term:

DRESS CODE

Descriptor Code:
Students

Issued Date:
08/26/10

Rescinds:

Issued:

The standards for Shelby County Schools dress reflect "common sense" and a concern for each child's comfort, safety, cleanliness, and sense of modesty. There is a strong relationship between neat, appropriate attire and a positive learning environment. Apparel or appearance which tends to draw attention to an individual rather than to a learning situation must be avoided.

ELEMENTARY SCHOOL DRESS CODE

To help create the best learning environment for elementary students, the following standards for student dress must be observed in all Shelby County Elementary Schools:

1. Pants must be worn at the waist and must be appropriately sized and at a safe length.
2. Head apparel (such as hoods, hat, etc.), except for religious or medical reasons, must not be worn inside the school building.
3. Footwear is required and must be safe and appropriate for indoor or outdoor physical activity.
4. Clothing or accessories may not display offensive, vulgar language or images and must not advertise products which students may not legally purchase.
5. For students in Grades 3-5, "short shorts", mini-skirts, and skin-tight outer material such as spandex are inappropriate attire. No shorts or skirts shorter than 4 inches above the knee are allowed.
6. Shirts, blouses, and dresses must completely cover the abdomen, back, and shoulders, and shirts or tops must cover the waistband of pants, shorts, or skirts with no midriff visible and must be no longer than wrist-length.
7. Waist length sweaters, sweatshirts, and lightweight jackets (appropriately sized) can be worn inside school for warmth.

1 The school administration reserves the right to determine whether the student's attire
2 and appearance are within the acceptable limits. In matters of opinion, the judgment of
3 the principal/designee shall prevail.
4

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6 The principal may allow exceptions for school-wide programs or special classroom
7 activities.
8

9 The school administration will administer appropriate consequences for policy
10 infractions.
11

12 This policy does not preclude individual schools from piloting alternative dress policies
13 or standards with permission from the Superintendent and the Board of Education after
14 extensive consultation with parents, teachers, and students. Any deviation from the
15 system-wide policy must be submitted in writing to the Superintendent/Designee for
16 review and recommendation to the Board of Education following Shelby County Schools
17 Policies and Procedures for Voluntary by School Standardized Dress Guidelines.
18

19
20 **MIDDLE AND HIGH SCHOOL DRESS CODE**

21 The following expectations for student dress have been established to promote a safe
22 and optimum learning environment.
23

24 Apparel or appearance which tends to draw attention to an individual rather than to a
25 learning situation must be avoided. In matters of opinion, the judgment of the
26 principal/designee shall prevail.
27

28 The following standards will be observed in all Shelby County Middle and High Schools:
29

- 30 1. Pants must be worn at the waist and must be appropriately sized and at a safe
31 length.
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- 33 2. Shirts, blouses, and dresses must completely cover the abdomen, back, shoulders
34 and must have sleeves. Shirts or tops must cover the waistband of pants, shorts,
35 or skirts with no midriff visible. Low-cut blouses, shirts, or tops or extremely tight
36 tops, tube tops, or any top that exposes cleavage are prohibited. Shirts, blouses,
37 and tops must be no longer than wrist-length.
38
- 39 3. Head apparel (such as hoods, hats, etc.), except for religious or medical purposes,
40 must not be worn inside the school building.
41
- 42 4. Footwear is required and must be safe and appropriate for indoor and outdoor
43 activity.
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5. Clothing and accessories such as backpacks, patches, jewelry, and notebooks must not display (1) racial or ethnic slurs/symbols, (2) gang affiliations, (3) vulgar, subversive, or sexually suggestive images; nor should they promote products which students may not legally buy; such as alcohol, tobacco, and illegal drugs.
6. Skirts, dresses, and shorts must be no shorter than 4 inches above the knee.
7. Sleepwear, pajamas, and/or blankets cannot be worn in school.
8. Waist length sweaters, sweatshirts, and lightweight jackets (appropriately sized) can be worn inside school for warmth.
9. Prohibited items include (1) large, long and/or heavy chains, (2) studded or chained accessories, (3) sunglasses, except for health purposes, (4) sleepwear and (5) skin-tight outer materials such as spandex; (6) facial jewelry (including tongue piercing).

The school administration reserves the right to determine whether the student's attire is within the limits of decency, modesty, and safety.

The principal may allow exceptions in special circumstances or occasions such as holidays or special performances and may further prescribe dress in certain classes such as physical education, vocational classes, and science labs.

Any student not attired in accordance with the policy shall be subject to the following consequences:

1. Correct the violation or spend the remainder of the day in in-school suspension (ISS).
2. Repeat offenders shall be subject to additional measures which include parent conferences, in-school suspension, and out-of-school suspensions as described in the county-wide discipline policy.

This policy does not preclude individual schools from implementing standardized dress policies with permission from the Superintendent of Schools and the Board of Education after extensive consultation with parents, teachers, and students. Any deviation from the system-wide policy must be submitted in writing to the Superintendent/Designee for review and recommendation to the Board of Education following Shelby County Schools Policies and Procedures for Voluntary School Standardized Dress Guidelines

Shelby County Board of Education

6022

Descriptor Term:

STUDENT CONDUCT

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

The Shelby County Board of Education accepts the responsibility for establishing and maintaining proper standards of discipline and behavior in the public schools. In order to maintain good order and insure an environment conducive to learning, the Board considers behavior or conduct occurring on school property or at any school sponsored activity occurring off school property which interferes with the above to be offenses. Such offenses include but are not limited to the following:

1. Disrespect or insubordination toward teachers, principals, or other school employees;
2. Immoral conduct, indecent language or behavior;
3. Sexual, racial, ethnic, or religious harassment;
4. Theft;
5. Violence, the threat of violence and/or physical or verbal intimidation directed toward other students, teachers or Shelby County Schools' employees;
6. Persistent disobedience or disorder;
7. Habitual tardiness or unexcused absenteeism, truancy;
8. Vandalism;
9. Sale, possession, or use of alcohol, drugs, substances represented to be drugs or alcohol, substances for huffing, or drug paraphernalia;
10. Smoking and or the possession of tobacco products, lighters or matches;
11. Possession of, access to and/or use of beepers, cellular phones, or other electronic communication devices during school hours without written permission of the principal;
12. Gang activities;
13. Weapons or weapon look-alikes and explosives, including a knife or any potentially lethal weapon, or Taser;
14. Possession of mace or disabling sprays;
15. Inciting, advising or counseling of others to engage in any of the acts herein enumerated;
16. Off-campus criminal behavior resulting in felony charges; when behavior poses a danger to persons or property or disrupts the educational process;
17. Possession, use or distribution of counterfeit money on school property or at any school sponsored activity; and
18. Inappropriate use of electronic media.

Principals and their designees shall be responsible for enforcing the rules of Student Conduct.

Shelby County Board of Education

6023

Descriptor Term:

DISCIPLINE
(Offenses and Penalties by Category)

Descriptor Code:

Students

Issued Date:

06/30/11

Rescinds:

Issued:

The infractions of school discipline in the Shelby County Schools listed below are grouped into categories according to the seriousness of the offense. This list is not intended to be exclusive or all inclusive. For infractions not specifically listed below, school principals shall assign discipline in accordance with the category that appears to be comparable to the offenses specifically listed in the category.

Category A - STATE ZERO TOLERANCE OFFENSES - T.C.A. § 49-6-4216

1. Aggravated Assault resulting in serious bodily injury upon any teacher, principal, administrator, school resource officer, or any other school employee;
2. Unlawful possession, sale, or evidence of use of drugs/narcotics at school or at a school-sponsored activity;
3. Unauthorized possession of a firearm on school property or at a school sponsored activity.

PENALTY: STUDENTS FOUND GUILTY OF A *CATEGORY A* OFFENSE SHALL BE SUSPENDED FOR 180 DAYS. NOTIFICATION WILL BE MADE TO LAW ENFORCEMENT AUTHORITIES. ANY MODIFICATION OF THIS PENALTY CAN ONLY BE MADE BY THE SUPERINTENDENT.

Category B

1. Possession of a knife or any potentially lethal weapon, Taser, or explosive on school property or at a school-sponsored activity;
2. Evidence of drinking or possession of alcoholic beverages in school or at a school sponsored activity;
3. Off-campus criminal behavior resulting in a felony charge, when the behavior poses a danger to persons or property or disrupts the educational process;

4. Gang activities - Activity that is threatening and/or intimidating, harassing in nature or recruiting; gang notebooks with gang pledges, codes and symbols that are used in communication such as threats and warnings and recruiting; gang related fights, and all types of violent acts; gang graffiti especially drawn on school property (bathrooms, lockers and hall walls); electronic devices such as cell phones with recognized gang text, with gang symbols, signs and language that is threatening and or intimidating;
5. Evidence of use or possession of drug paraphernalia, substances for huffing, and/or medical preparations without proper medical authorization.
6. Possession, use or distribution of counterfeit money on school property or at any school sponsored activity.
7. Assault and/or battery upon any teacher, principal, administrator, school resource officer, or any other school employee.

PENALTY: STUDENTS FOUND GUILTY OF *CATEGORY B* OFFENSES SHALL BE SUSPENDED FOR 180 DAYS. WHEN APPROPRIATE, NOTIFICATION WILL BE MADE TO LAW ENFORCEMENT AUTHORITIES. MODIFICATION OF THIS PENALTY CAN BE MADE BY THE SUPERINTENDENT OR THE DISCIPLINARY HEARING AUTHORITY.

Category C

1. Threatening bodily harm to school personnel;
2. Smoking and or the possession of tobacco products by students while in or on school, properties or under school's jurisdiction during school hours or while participating in a school-sponsored event;
3. Gang activities - any gang related activity not specified in Category B.
4. Malicious destruction of or damage to school property, including electronic media;
5. Stealing or misappropriation of school or personal property (regardless of intent to return);
6. Immoral or disreputable conduct.

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3 **PENALTY: SUSPENSION; NOTIFICATION TO LAW ENFORCEMENT**
4 **AUTHORITIES; POSSIBLE EXPULSION FROM SHELBY COUNTY**
5 **SCHOOLS**
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8 ***Category D***
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- 10 1. Open or continued defiant attitude or willful disobedience toward a member of
11 school staff;
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13 2. Vulgar, profane, immoral/disreputable or rude remarks or non-verbal action to
14 staff member or fellow student;
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16 3. Physical or verbal intimidation or threats to other students, including hazing;
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18 4. Threatening bodily harm to another student;
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20 5. Fighting in or on school property;
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22 6. Possession of mace or disabling sprays;
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24 7. Inappropriate use of electronic media, including, but not limited to, all calls
25 (land line, cellular or computer generated), instant messaging, text messaging,
26 audio recording devices, iPods, MP3s or any type of electronic music or
27 entertainment device, and cameras and camera phones;
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29 8. Inciting, advising or counseling of others to engage in any acts in Categories
30 A, B or C.
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35 **PENALTY: IN-SCHOOL SUSPENSION, OUT-OF-SCHOOL SUSPENSION,**
36 **POSSIBLE EXPULSION**
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38 ***Category E***
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- 40 1. Truancy;
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42 2. Unauthorized absence from class;
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44 3. Intentional disturbance of class, cafeteria or school activities;
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4. Leaving school grounds without permission;
5. Being in an unauthorized area without permission;
6. Tampering with grades or report cards;
7. Possession of lighters or matches;
8. Possession of and access to beepers, cellular phones or other electronic communication devices during school hours without written permission of the principal;
9. Inciting, advising or counseling others to engage in any acts in Category D;
10. Dress Code Violation.

**PENALTY: PARENT-PRINCIPAL CONFERENCE, IN-SCHOOL SUSPENSION,
BEFORE/AFTER SCHOOL DETENTION**

Multiple infractions of any one or more of the offenses in Category E over a period of time by a student may result in an out-of-school suspension at the discretion of the school principal.

Shelby County Board of Education

6024

Descriptor Term:

**CELL PHONES / PERSONAL
COMMUNICATION DEVICES**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

The increase in use of cell phones and personal communication devices by students during the school day has become far more than a distraction in the school environment. These devices are being used by students as a means of cheating on tests, taking inappropriate pictures and video of students and staff for sharing and posting across the internet, threatening and/or bullying other students, and engaging in an excessive amount of social interaction during instructional time.

Therefore, **all students are banned from possessing any type of phone or personal communication device at any time during the regular school day.** For the purpose of this policy, possession means being found in any article of clothing, purse, book bag, carry bag, or in any location on school property other than the approved storage location as written and approved by school officials. Students who wish to carry a cell phone with them to and from school must keep the device turned off and kept in the student's assigned locker, automobile, or other school approved location at all times during the entire school day. School officials may if it has reasonable suspicion to do so search any cell phone brought onto any SCBE property, which includes but is not limited to parking areas. For the purposes of this policy the school day includes the entire day from the school start time or bell that indicates the start of the school day until the final dismissal time of the school day. The school is not responsible for any loss or theft of the device while on school property.

A student found in possession of any type of cell phone or communication device during the school day shall have the device taken from him or her and kept by the school Principal or designee until the parent is notified and the device is personally picked up at the school by the parent. The parent may pick up the device on the following Monday after the device is taken from the student. The school will notify the parent regarding the specific time and location for pick up. If the device is not picked up during the designated time on Monday, it cannot be picked up until the designated time on the following Monday.

Any subsequent violation shall result in the device being taken from the student and retained until the parent personally picks the device up from the Principal or his/her designee on the following Monday and the student shall be given an out-of-school suspension of two (2) days.

A third violation of this policy shall be considered willful disobedience and defiance and the student shall receive a five (5) day out of school suspension.

Further violations will result in a long-term suspension.

Shelby County Board of Education

6025

Descriptor Term:

CORPORAL PUNISHMENT

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

As part of a progressive discipline plan, corporal punishment is permissible in Shelby County Schools.

Corporal punishment may be administered by the principal or principal's designee in the presence of another professional employee. Corporal punishment shall not be used as the disciplinary action on a first offense, shall not be used as a choice in lieu of other disciplinary action, and shall only be used after other corrective measures have been attempted. The parent(s) or guardian(s) shall be notified when a student has been paddled.

If parent(s) or guardian(s) object to the use of corporal punishment with their children or wards, such objection must be made annually, in advance, in writing to the principal of the school. A student whose parent(s) or guardian(s) shall object in writing, to the use of corporal punishment, when, and if it is deemed necessary by the principal, may be suspended.

A record of each case where corporal punishment is administered shall be maintained in the principal's office.

T.C.A. § 49-6-4103

T.C.A. § 49-6-4014

Shelby County Board of Education

6026

Descriptor Term:

**SUSPENSION / EXPULSION /
REMAND OF STUDENTS**

Descriptor Code:

Students

Rescinds:

Issued Date:

08/26/10

Issued:

A. Any principal, vice principal or assistant principal is authorized to suspend a pupil from attendance at their respective school, including its sponsored activities, or from riding a school bus, for good and sufficient reasons. Good and sufficient reasons for suspension include, but are not limited to:

- (1) Willful and persistent violation of the rules of the school or truancy;
- (2) Immoral or disreputable conduct or vulgar or profane language;
- (3) Violence or threatened violence against the person of any personnel attending or assigned to any public school;
- (4) Willful or malicious damage to real or personal property of the school, or the property of any person attending or assigned to the school;
- (5) Inciting, advising or counseling of others to engage in any of the acts enumerated in subdivisions A (1) - (4);
- (6) Marking, defacing or destroying school property;
- (7) Possession of a pistol, gun or firearm on school property;
- (8) Possession of any potentially lethal weapon, Taser, or explosive on school property or at a school-sponsored activity;
- (9) Possession of a knife and other weapons, as defined in T.C.A. § 39-17-1301 on school property;
- (10) Assaulting a principal or teacher with vulgar, obscene or threatening language;
- (11) Unlawful use or possession of barbitol or legend drugs, as defined in T.C.A. § 53-10-101;

- (12) Two (2) or more students initiating a physical attack on an individual student on school property or at a school activity, including travel to and from school;
- (13) Making a threat, including a false report, to use a bomb, dynamite, any other deadly explosive or destructive device, including chemical weapons, on school property or at a school sponsored event;
- (14) Any other conduct prejudicial to good order and discipline in any public school;
- (15) Possession, use or distribution of counterfeit money on school property or at any school sponsored activity; and
- (16) Off-campus criminal behavior that results in the student being legally charged with a felony and the student's continued presence in school poses a danger to persons or property or disrupts the educational process.

B.

- (1) Any principal, vice principal or assistant principal may suspend any pupil from attendance at a specific class, classes or school-sponsored activity without suspending the pupil from attendance at school pursuant to an in-school suspension policy adopted by the local board of education. Good and sufficient reasons for in-school suspension include, but are not limited to, behavior:
 - (a) That adversely affects the safety and well-being of other pupils.
 - (b) That disrupts a class or school sponsored activity; or
 - (c) Prejudicial to good order and discipline occurring in class, during school-sponsored activities or on the school campus.
- (2) Students receiving an in-school suspension exceeding one (1) day from classes shall attend either special classes attended only by students guilty of misconduct or be placed in an isolated area appropriate for study. Students given in-school suspension shall be required to complete academic requirements.

C.

- (1) Except in an emergency, no principal, vice principal or assistant principal shall suspend any student until that student has been advised of the nature of the student's misconduct, questioned about it and allowed to give an explanation.

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- (2) Upon suspension of any student other than for in-school suspension of one (1) day or less, the principal shall, within twenty-four (24) hours, notify the parent or guardian and the Assistant Superintendent of Student Services of:
 - (a) The suspension, which shall be for a period of no more than ten (10) days;
 - (b) The cause for the suspension; and
 - (c) The conditions for readmission, which may include, at the request of either party, a meeting of the parent or guardian, student and principal.
 - (3) If the suspension is for more than five (5) days, the principal shall develop and implement a plan for improving the behavior, which shall be made available for review by the Superintendent upon request.
 - (4)
 - (a) If, at the time of the suspension, the principal, vice principal or assistant principal determines that an offense has been committed that would justify a suspension for more than ten (10) days, the person may suspend a student unconditionally for a specified period of time or upon such terms and conditions as are deemed reasonable.
 - (b) The principal, vice principal or assistant principal shall immediately give written or actual notice to the parent or guardian and the student of the right to appeal the decision to suspend for more than ten (10) days. All appeals must be filed, orally or in writing, within five (5) days after receipt of the notice and may be filed by the parent or guardian, the student or any person holding a teaching license who is employed by the school system if requested by the student.
 - (c) The appeal from this decision shall be to the disciplinary hearing authority appointed by the board. The disciplinary hearing authority shall consist of at least one (1) licensed employee of SCS, but no more than seven (7) members.
 - (d) The hearing shall be held no later than ten (10) days after the beginning of the suspension. The disciplinary hearing authority shall give written notice of the time and place of the hearing to the parent or guardian, the student and the school official designated in subdivision (C)(4)(a) who ordered the suspension. Notice shall also be given to the SCS employee referred to in subdivision (C)(4)(b) who requests a hearing on behalf of the suspended student.

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3 (5) After the hearing, the disciplinary hearing authority may affirm the decision of the
4 principal, order removal of the suspension unconditionally or upon such terms
5 and conditions as it deems reasonable, assign the student to an alternative
6 program or night school or suspend the student for a specified period of time.

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8 (6) A written record of the proceedings, including a summary of the facts and the
9 reasons supporting the decision, shall be made by the disciplinary hearing
10 authority. The student, principal, vice principal or assistant principal may, within
11 five (5) days of the decision, request review by the Superintendent. The
12 Superintendent shall review the written record of the disciplinary hearing
13 authority and shall render a decision as soon as practicable. (Absent a timely
14 appeal, the decision shall be final.) Within five (5) days of the Superintendent's
15 decision, the student, principal, vice principal or assistant principal may request
16 review by the board of education. The board of education based upon a review of
17 the record, may grant or deny a request for a board hearing and may affirm or
18 overturn the decision of the hearing authority with or without a hearing before the
19 board; provided, that the board may not impose a more severe penalty than that
20 imposed by the hearing authority without first providing an opportunity for a
21 hearing before the board. If the board conducts a hearing as a result of a request
22 for review by a student, principal, vice principal or assistant principal, then,
23 notwithstanding any provision of the open meetings laws compiled in Title 8,
24 Chapter 44, or other law to the contrary, the hearing shall be closed to the public,
25 unless the student or student's parent or guardian requests in writing within five
26 (5) days after receipt of written notice of the hearing that the hearing be
27 conducted as an open meeting. If the board conducts a hearing as a result of a
28 request for review by a student, principal, vice principal or assistant principal that
29 is closed to the public, then the board shall not conduct any business, discuss
30 any subject, or take a vote on any matter other than the appeal to be heard.
31 Nothing in this subdivision (C)(6) shall act to exclude the department of children's
32 services from the disciplinary hearings when the department is exercising its
33 obligations under T.C.A. § 37-1-140. The action of the board of education shall be
34 final.
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38 D. In the event the suspension occurs during the last ten (10) days of any term or
39 semester, the pupil may be permitted to take final examinations or submit required
40 work that is necessary to complete the course of instruction for that semester,
41 subject to the action of the principal, or the final action of the board of education
42 upon any appeal from an order of a principal continuing a suspension.
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4 E. Students under in-school suspension shall be recorded as constituting a
5 part of the public school attendance in the same manner as students who
6 attend regular classes.
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8 F. SCS shall not be required to enroll a student who is under suspension or
9 expelled in an LEA either in Tennessee or another state. The
10 Superintendent shall make a recommendation to the board of education to
11 approve or deny the request. The recommendation shall occur only after
12 investigation of the facts surrounding the suspension from the former
13 school system. If the recommendation is to deny admission and if the
14 board approves the Superintendent's recommendation, the
15 Superintendent shall, on behalf of the board, notify the commissioner of
16 the decision. Nothing in this subsection (F) shall affect children in state
17 custody or their enrollment in SCS. If SCS accepts enrollment of a
18 student from another LEA, SCS may dismiss the student if it is determined
19 subsequent to enrollment that the student had been suspended or
20 expelled by the other LEA.
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23 G. A pupil determined to have brought to school or to be in unauthorized
24 possession on school property of a firearm, as defined in 18 U.S.C. § 921,
25 shall be expelled for a period of not less than one (1) calendar year, except
26 that the Superintendent may modify this expulsion on a case-by-case
27 basis. A student committing battery upon any teacher, principal,
28 administrator, any other employee of an LEA or school resource officer,
29 or unlawfully possessing any drug including any controlled substance,
30 as defined in T.C.A. § 39-17-403, through T.C.A. § 39-17-415, or legend
31 drug, as defined by T.C.A. § 53-10-101, shall be expelled for a period of
32 not less than one (1) calendar year, except that the Superintendent may
33 modify this expulsion on a case-by-case basis. For purposes of this
34 subsection (G), "expelled" means removed from the pupil's regular school
35 program at the location where the violation occurred or removed from
36 school attendance altogether, as determined by the Superintendent.
37 Nothing in this section shall be construed to prohibit the assignment of
38 such students to an alternative school.
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41 **T.C.A. § 49-6-3401**
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Shelby County Board of Education

6027

Descriptor Term:

SEARCHES

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

- (1) When individual circumstances in a school dictate it, a principal may order that vehicles parked on school property by students or visitors, containers, packages, lockers or other enclosures used for storage by students or visitors, and other areas accessible to students or visitors be searched in the Principal's presence or in the presence of other members of the Principal's staff.
- (2) Individual circumstances requiring a search may include incidents on school property, including school buses, involving, but not limited to, the use of dangerous weapons, drugs or drug paraphernalia by students, which are known to the Principal or other staff members, information received from law enforcement, juvenile or other authorities indicating a pattern of drug dealing or drug use by students of that school, any assault or attempted assault on school property with dangerous weapons, or any other actions or incidents known by the Principal which give rise to reasonable suspicion that dangerous weapons, drugs or drug paraphernalia are held on school property by one (1) or more students.
- (3) A notice shall be posted in the school that lockers and other storage areas, containers, and packages brought into the school by students or visitors are subject to search for drugs, drug paraphernalia, dangerous weapons or any property which is not properly in the possession of the student.
- (4) A notice shall be posted where it is visible from the school parking lot that vehicles parked on school property by students or visitors are subject to search for drugs, drug paraphernalia or dangerous weapons.
- (5) A student may be subject to physical search because of the results of a locker search, or because of information received from a teacher, staff member, student or other person if such action is reasonable to the Principal.
- (6) All of the following standards of reasonableness shall be met prior to conducting a physical search on a student:
 - (a) A particular student has violated school policy;

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3 (b) The search will yield evidence of the violation of school policy or will lead
4 to disclosure of a dangerous weapon, drug paraphernalia or drug;
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7 (c) The search is in pursuit of legitimate interests of the school in maintaining
8 order, discipline, safety, supervision and education of students;
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10 (d) The search is not conducted for the sole purpose of discovering evidence
11 to be used in a criminal prosecution; and
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13 (e) The search shall be reasonably related to the objectives of the search and
14 not excessively intrusive in light of the age and sex of the student, as well as the
15 nature of the infraction alleged to have been committed.
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19 **T.C.A. § 49-6-4204**

20 **T.C.A. § 49-6-4205**
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Shelby County Board of Education

6028

Descriptor Term:

**TOBACCO USE OR
POSSESSION**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

The Shelby County Schools system prohibits student smoking or possession of tobacco products, lighters or matches, on school campuses, at school sponsored activities or on school buses.

Shelby County Board of Education

6029

Descriptor Term:

**CARE AND PROTECTION OF
TEXTBOOKS AND MATERIALS**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

Textbooks and materials are provided in the Shelby County school system to enhance the learning process. They are issued to the students with the understanding that the textbooks and materials will be properly maintained and returned at the appointed time. With this understanding and legislation, sanctions will be invoked in the event that a student refuses to pay for a lost or damaged textbook and/or materials at the replacement cost less reasonable depreciation.

These sanctions are intended to prohibit lost or damaged textbooks and/or materials through willful intent or neglect and include:

1. Not allowing the student to take interim or final examinations or to earn course credit in the course for which the textbook is prescribed until restitution is made; or
2. The withholding of all grade cards, diplomas, certificates of progress, or transcripts until restitution is made.
3. The refusal to issue any additional textbooks or materials until restitution is made.

Nothing in this policy shall prohibit any student or parent from voluntarily purchasing textbooks or materials.

T.C.A. § 49-3-310

Shelby County Board of Education

6030

Descriptor Term:

**GANGS AND NON-SCHOOL
RELATED SOCIAL CLUBS**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

The Board prohibits the activities of criminal gangs on school property and at school sponsored events.

A "criminal gang" means: A formal or informal ongoing organization, association or group consisting of three (3) or more persons that has:

- (1) As one (1) of its activities the commission of criminal acts; and
- (2) Two (2) or more members who, individually or collectively, engage in or have engaged in a pattern of criminal gang activity.

In order to discourage and prohibit students from participating in gang activities the Board prohibits students in Grades 6 - 12 from:

- (1) Wearing, while on school property, any type of clothing, apparel or accessory that denotes the students' membership in or affiliation with any criminal gang;
- (2) Any activity that encourages participation in a criminal gang or facilitates illegal acts of a criminal gang; and
- (3) Any conduct that is seriously disruptive to the educational process or endangers persons or property.
- (4) The local law enforcement agency shall advise the local board, upon request, of criminal gangs and associated criminal gang activity.

A violation of any portion of this Policy is grounds for suspension up to 180 days and/or expulsion from school.

The Superintendent shall arrange for all school principals to be trained to recognize local gang signs and symbols. This training will be coordinated with local law enforcement agencies.

T.C.A. § 49-6-4215

Shelby County Board of Education

6031

Descriptor Term:

ACCEPTABLE USE POLICY

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

District-Provided Access to Electronic Information for Students

The Shelby County Schools Board of Education recognizes that electronic information resources have transformed the ways that information may be accessed and communicated. The Board generally supports access by students to rich information resources and believes it incumbent upon students to use this privilege in an appropriate and responsible manner. The Board encourages the development of appropriate skills to analyze and evaluate such resources.

Electronic information research skills have become a necessary part of the educational process. The Board expects that faculty will blend thoughtful use of the Internet throughout the curriculum and will provide guidance and instruction to students in its use. As much as possible, access from school to Internet resources should be structured in ways which point students to those sources suited to learning objectives. While students will be able to move independently through resources, they shall be provided with guidelines defining acceptable use. All students shall participate in an Internet safety instruction program which shall be integrated into the district's instructional program in grades K-12. Schools will use existing avenues of communication to raise awareness and inform parents about Internet safety. The district shall take measures designed to protect students from child pornography and obscenity as well as other materials that are harmful to minors pursuant to 47 U.S.C. §§ 6801, 6777, 9134; 47 U.S.C. § 254 and the *Children's Internet Protection Act* (CIPA).

Students utilizing school-provided Internet access are responsible for appropriate behavior on-line just as they are in a classroom or other area of the school. Communications on the network are often public in nature. General school rules for behavior and communications apply in using the networked communications system. The network is provided for students and staff to conduct research, explore the world, and communicate with each other. Access to network services will be provided to students who agree to act in a responsible manner.

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3 Use of the system's electronic resources will be permitted upon submission of
4 agreement forms by students and parents. Violations of the terms and conditions stated
5 in the agreement may result in disciplinary action up to and including expulsion for
6 students.
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9 The Board authorizes the Superintendent to develop and implement procedures to
10 provide guidance for students in the appropriate and ethical use of telecommunication
11 networks such as the Internet.
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Shelby County Board of Education

6032

Descriptor Term:

**GRADE CLASSIFICATION FOR
HIGH SCHOOL STUDENTS**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

Students in Shelby County high schools are to be classified as follows:

Less than *five (5)* credits9th grade

Earned *five (5)* credits and passed English 9.....10th grade

Earned *ten (10)* credits and passed English 10.....11th grade

Earned 14 credits* and passed English 11.....12th grade

*A student who has earned fewer than fourteen (14) credits but is enrolled in enough credits to meet graduation requirements by the date of graduation shall be classified as 12th grade if the student has also passed English 9, 10 and 11.

Shelby County Board of Education

6033

Descriptor Term:

**GRADE CLASSIFICATION FOR
NINTH GRADE STUDENTS
ENTERING HIGH SCHOOL IN 2009**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

Students in Shelby County high schools are to be classified as follows:

Less than *five (5)* credits9th grade

Earned *five (5)* credits and passed English 9..... 10th grade

Earned *eleven (11)* credits and passed English 10..... 11th grade

Earned *sixteen (16)* credits* and passed English 11..... 12th grade

** In accordance to the Tennessee State Department of Education requirement, a student classified as a 12th grader must be enrolled in a full schedule of credit-bearing courses his/her senior year.*

Shelby County Board of Education

6034

Descriptor Term:

**PARTICIPATION IN
COMMENCEMENT EXERCISES**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

Only students who have met all state requirements and mandates for a high school regular diploma or special education diploma by graduation date, will be allowed to participate in commencement exercises. A student's behavior must be acceptable to the school principal in order for the student to participate in the school graduation ceremonies. Students who are under suspension at the time of commencement will not be eligible to participate in commencement exercises.

Shelby County Board of Education

6035	Descriptor Term:	Descriptor Code:	Issued Date:
	HONORARY DIPLOMA	Students	08/26/10
		Rescinds:	Issued:

In the event of the death of a student who is currently enrolled in a Shelby County high school prior to his/her anticipated graduation date, the principal (or principal's designee) of the high school will contact the parent(s)/guardian(s) of the deceased student and ask their permission to honor their child by presenting them with an honorary diploma.

If the parent(s)/guardian(s) give permission to grant an honorary diploma, the principal shall provide the name of the student to the Superintendent for recommendation to the Board of Education.

Upon approval by the Board of Education, the principal will arrange for an appropriate time and place for the recognition of the deceased student and presentation of the honorary diploma to the parent(s)/guardian(s).

Shelby County Board of Education

6036	Descriptor Term:	Descriptor Code:	Issued Date:
	VALEDICTORIAN AND SALUTATORIAN	Students	08/26/10
		Rescinds:	Issued:

To be eligible for the distinction as Valedictorian or Salutatorian, the student must have been enrolled and completed his/her final four (4) semesters at the high school from which the student is graduating.

Shelby County Board of Education

6037

Descriptor Term:

**GRADING OF STUDENTS ON
HOSPITAL/HOMEBOUND PROGRAM**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

It is the procedure of the Shelby County Board of Education to give the same weight to grades awarded by a teacher of students on a hospital/homebound program as to the grades given by the regular teacher in the school. The grades reported by the hospital/homebound teacher are to be averaged with the grades the student has received while attending school. This would also include any tests, including both mid-term and final examinations. In the event the child was on the homebound program for less than two weeks, individual grades will be given. Otherwise, weekly averages will be given for a student on a hospital/homebound program for an extended period of time.

Shelby County Board of Education

6038

Descriptor Term:

DRILLS FOR EMERGENCIES

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

Principals shall conduct, or cause to be conducted, at least one (1) fire drill requiring full evacuation each month during the school year with an additional drill during the first thirty (30) days of operation of each school year and three (3) additional safety drills during the school year which may include inclement weather, earthquakes, intruders or other emergency drills not requiring full evacuation.

Earthquake drills shall be conducted two (2) times each school year.

Principals will maintain a log of all drills in the school office.

T.C.A. § 49-5-201

Shelby County Board of Education

6039

Descriptor Term:

STUDENT ACCIDENT REPORTS

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

Any accident to students which occurs on the property of the Shelby County Schools or during the school day is to be reported in writing to the Student Services Department within twenty-four (24) hours after the accident occurs.

The report will include the person's name, date of the accident, an explanation of the accident, and care used in treating the individual. These reports will be kept in a file in the Principal's office for one year.

Shelby County Board of Education

6040

Descriptor Term:

**ADMINISTERING MEDICINE
TO STUDENTS**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

It is the policy of the Shelby County Schools that all children's medication be administered by a parent at home. Under exceptional circumstances medication may be administered by school personnel under the appropriate administrative regulations.

MEDICATION IN SCHOOLS

If under exceptional circumstances a student is required to receive medication during school hours and the parent cannot be at school to administer the medication, only the school nurse or the principal's designee will administer the medication in compliance with the regulations that follow:

1. Written instructions will be signed by the parent or legal guardian and will include:
 - a. student's name
 - b. name of medication
 - c. purpose of medication
 - d. time to be administered
 - e. dosage
 - f. possible side effects
 - g. termination date for administering the medication
 - h. name and phone number of student's physician.
2. The signed instruction form will be kept on file at the school.
3. All medication will be brought to school by the parent or guardian, unless other arrangements have been approved by the school principal, but under no circumstance shall a student bring the medication to school by himself/herself. All medication must be brought in its original container whether it be a prescription or non-prescription medication.
4. The principal or the principal's designee will:
 - a. inform appropriate school personnel of the medication being taken.

- b. keep a record of the administration of medication on designated form and will keep this record on file at school.
 - c. keep medication in locked area (*One exception: Students with asthma who have inhalers at school may keep inhalers in their possession or with teacher in the classroom*).
 - d. return unused medication to the parent only or discard appropriately. If discarded at school, the following procedure will be followed:
 - i. medication will be disposed of in a manner so that no student will be able to get the medication.
 - ii. the method used, the date the medication is discarded, and the person or people involved will be documented.
5. The parents of the student must assume responsibility for informing the school principal of any change in the student's health or change in medication.
 6. Should medications of an invasive nature (ex. intramuscular, intravenous, suppository) be required to be given by school personnel for emergency action, proper physician orders and instructions will be obtained and proper training will be given to appropriate personnel.
 7. The school system retains the discretion to reject request for administration of medicine.
 8. A copy of this procedure will be provided to parents upon their request for administration of medication in the schools.

T.C.A. § 49-5-415

Tennessee State Board of Education Policy No. 4.208

Shelby County Board of Education

6041

Descriptor Term:

**ACCOMMODATING STUDENTS
WITH DIABETES**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

Pursuant to T.C.A. § 49-5-415(d), Diabetes Care-students with diabetes mellitus (insulin-dependent or non-insulin-dependent) have the right to monitor their blood sugar levels, or to have such levels monitored, during the school day as ordered by their physician. The purpose of blood glucose monitoring is to obtain information needed for appropriate decisions regarding the balance of insulin, food, and exercise for the student.

The Administrator in charge of student health services is to:

- A. Consult and coordinate with the parents and health care providers of students with diabetes; and
- B. Prior to the beginning of the school year, or upon a student's diagnosis, train and supervise the appropriate staff in the care of students with diabetes.
- C. Annually provide in-service on the procedure for parents to notify schools of specific health needs. Subsequently, school administrators will notify assistant principals and teachers of the students who will use glucose monitoring devices in their school.

The district shall develop and follow an emergency and/or individual health plan for each student with diabetes. Each plan shall include an individual emergency plan element. The health plans shall be updated annually, and more frequently as needed.

Parents of students with diabetes may designate an adult to provide care for their student consistent with the student's individual health care plan. At parent request, school district employees may volunteer to be a parent-designated adult under this policy, but they shall not be required to participate. Parent-designated adults who are school employees shall file a voluntary, written, current and unexpired letter of intent stating their willingness to be a parent-designated adult. Parent-designated adults who are school employees are required to receive training in caring for students with diabetes from a designated provider of school health services or from a nationally certified diabetes educator. The Administrator in charge of student health services is not responsible for the supervision of procedures authorized by the parents and carried out by the parent-designated adult.

1 In addition to adhering to the requirements of each individual health care plan, for the
2 general care of students with diabetes, the district shall:
3

- 4 A. Acquire necessary parent requests and instructions for treatment.
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- 6 B. Acquire monitoring and treatment orders from licensed health care providers
7 prescribing within the scope of their licensed authority.
8
- 9 C. Provide sufficient and secure storage for medical equipment and medication
10 provided by the parent.
11
- 12 D. Assess competency and independent skill in blood glucose monitoring by the
13 student and/or other personnel trained. The school nurse will assess
14 competency in adequate knowledge and skill in all aspects of blood glucose
15 monitoring.
16
- 17 E. Permit students with diabetes to perform blood glucose tests, to administer
18 insulin, to treat hypoglycemia and hyperglycemia, with easy access to the
19 necessary supplies, equipment and medication necessary under their individual
20 health care plan. This includes the option for students to carry the necessary
21 supplies, equipment and medication on their person and perform monitoring and
22 treatment functions wherever they are on school grounds or at school
23 sponsored events.
24
- 25
- 26 F. The most appropriate setting for the glucose monitoring will be, in many cases,
27 the school health room/office. The location and method of monitoring such
28 glucose levels, including safe disposal of sharps/lancets, shall be determined by
29 a joint decision of the school principal/designee and the school nurse, with input
30 from the student, the student's parent (s)/guardian (s), and the student's
31 physician or other licensed healthcare provider.
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- 34 G. Permit students with diabetes unrestricted access to necessary food and water
35 on schedule and as needed and permit unrestricted access to bathroom facilities.
36 When food is served at school events, provision shall be made for appropriate
37 food to be available to students with diabetes.
38
- 39 H. School meals shall not be withheld from any student for disciplinary reasons.
40 Students with diabetes shall not miss meals because they are not able to pay for
41 them. The charge for the meal will be billed to the parent or adult student and
42 collected consistent with district policies.
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2 I. Parents and health care providers of students with diabetes will be provided
3 with a description of their student's school schedule to facilitate the timing of
4 monitoring, treatment and food consumption.
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6 J. Each student's individual health care plan shall be distributed to appropriate
7 staff based on the student's needs and the staff member's contact with the
8 student.
9

10 The district, its employees, agents or parent-designated adults who act in good faith
11 and in substantial compliance with a student's individual health care plan and the
12 instructions of the student's health care provider shall not be criminally or civilly liable
13 for services provided.
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18 **Section 504 of the Rehabilitation Act of 1973**
19 **Americans with Disabilities Act**
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Shelby County Board of Education

6042

Descriptor Term:

SEIZURE MANAGEMENT POLICY STATEMENT

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

The Board recognizes its responsibility to protect the health of its students as well as to uphold their individual rights. As such, the Shelby County Schools Board of Education makes this statement related to child health and well-being for students with epilepsy and/or seizure disorders.

In accordance with T.C.A. § 49-5-415 to state the following in section (g):

“In addition to the assistance with self-administration of medications provided for in subsection (a), public and non-public school personnel who volunteer under no duress or pressure and who have been properly trained by a registered nurse employed or contracted by the LEA or governing board for a non-public school may administer antiseizure medications, including diazepam gel, to a student in an emergency situation based on that student's IHP; however, if a school nurse is available, on site, and able to reach the student within the time limit for administration specified in the IHP, then the nurse shall provide this service to the student.”

The position of the Board regarding training of volunteers and administration of antiseizure medications, including diazepam gel is that SCBE shall adhere to Tennessee's “Guidelines for Use of Health Care Professionals and Health Care Procedures in a School Setting” created jointly by the State Departments of Education and Health. The Board will determine the criteria and response for seizure emergency in Shelby County Schools based on guideline recommendations by the State of Tennessee. In addition, a procedure will be developed; roles will be defined for students, parents/guardians, school administrators/designee, and district school health staff.

T.C.A. § 49-5-415

Shelby County Board of Education

6043

Descriptor Term:

HEALTH CARE MANAGEMENT

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

I. LIFE-THREATENING ALLERGY MANAGEMENT POLICY

The Shelby County Schools Board of Education recognizes that many children are facing challenges with health and are being diagnosed with life-threatening allergies to food and other allergens that affect their school experience. As such the Board sets this general policy to address the emerging challenge.

In accordance with the Shelby County Schools Board of Education's policies, all Shelby County Schools shall have an allergy program to promote the safety and well being of any individual with life threatening allergies. The Board's primary goal is to provide a safe environment for all children. However, because some allergies are so persistent and all-encompassing, it is unrealistic to guarantee an allergen-free environment. In essence, this policy aims to lessen the risk by implementing procedures, which will reduce the amount of exposure to life-threatening allergens in the schools. This policy statement is not inclusive of all allergies, but only allergies determined to be life-threatening by a medical professional.

Research supports that active participation of the allergic person in managing the allergy is critical. Shelby County Schools recognizes that an effective allergy program is a cooperative effort among school staff, parents/guardians, school nurse, and school health staff. An individualized health plan tailored to the needs of each individual child at risk for anaphylaxis, with accommodations for allergy management will be developed following the "Guidelines for Managing Life-Threatening Food Allergies in Tennessee Schools".

T.C.A. § 49-5-415

Tennessee State Board of Education Policy No. 4.205

Shelby County Board of Education

6044

Descriptor Term:

COMMUNICABLE DISEASES

Descriptor Code:

Students

Rescinds:

Issued Date:

08/26/10

Issued:

The Board recognizes its responsibility to protect the health of its students as well as to uphold their individual rights.

Communicable Diseases requiring exclusion from school

Students may be excluded from school to prevent the spread of contagious disease. The principal or designee may exclude a student, but no child shall be sent home from school without first informing the parents. The student must be isolated until he/she goes home. A student suspected of having, or being able to transmit, a contagious disease shall be excluded from school, and a report made to the State Department of Public Health for those diseases requiring mandatory reporting. The Board will follow guidelines and recommendations from Memphis-Shelby County Health Department regarding communicable disease handling.

Contagious diseases include, but are not limited to: red measles, German measles, chicken pox, mumps, whooping cough, scarlet fever, diphtheria, Vincent's angina, conjunctivitis, ringworm, impetigo, scabies, pediculosis, or other disease diagnosed as contagious.

Readmission

If the suspected condition is found not to exist, the principal or designee may readmit the student.

In the case of communicable disease, the student may be readmitted on presentation of a written statement from the family physician, and/or completion of the period of exclusion required by the State Department of Public Health.

In the case of ringworm, impetigo, or scabies the student may be readmitted once treatment has begun and proof of treatment is presented to the principal or designee.

In the case of pediculosis (head lice) a student may be readmitted for inspection following treatment. If proof of treatment is presented to the principal or designee and no nits are present, the student may return to class.

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4 The SCBE may require school children and any employees of the Board to submit
5 to a physical examination by a competent physician whenever there is reason to
6 believe that the children or employees have tuberculosis or any other
7 communicable disease, and upon certification from the examining physician that
8 the children or employees have any communicable disease, to exclude them from
9 school or service until the child or children, employer or employers, employee or
10 employees furnish proper certificate or certificates from the examining physician
11 or physicians showing the communicable disease to have been cured.
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16 **T.C.A. § 49-2-203**
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Shelby County Board of Education

6045

Descriptor Term:

**ACQUIRED IMMUNE
DEFICIENCY SYNDROME**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

STUDENTS

Mandatory screening for communicable diseases not spread by casual, everyday contact, such as HIV infection, will not be a condition for school entry or attendance.

Administrative Responsibilities

If a student's parents/guardians choose to disclose the child's HIV status, all matters pertaining to that student will be under the direct supervision of the Superintendent or his designee. Upon disclosure, the Superintendent or his designee shall:

1. Request medical records from the parent or legal guardian and the student's physician;
2. Gather information regarding the student's cumulative school record; and
3. Meet with the evaluation team designated by the State Department of Education.

The Superintendent or his designee, with the cooperation of the State Department of Health and Environment, shall convene an evaluation team following notification to evaluate the student's health status relative to attending school. The evaluation team will consist of the Superintendent or his designee, the student's physician, a physician or nurse from the Department of Health as designated by the Regional Health Officer, a representative of the LEA (local education agency) as designated by the Superintendent, and the student's parent/guardian. A student with AIDS or a HIV-related illness shall be allowed to attend school and participate in activities available to other students, unless the evaluation team determines that the student's medical condition warrants an alternative educational plan.

Appropriate Alternative Educational Programs

An educational program will be developed for each student infected with HIV-AIDS. If the team determines, on a case-by-case basis, that a student is medically unable to attend school a determination of an appropriate alternative program will be made by the team. Any change in the program will be made within the bounds of confidentiality and will rely on the best available scientific evidence and medical advice.

1 When class removal is warranted, the Superintendent or his designee, parent/guardian,
2 and the treating physician will develop an appropriate educational program in the least
3 restrictive environment which is medically, legally, and educationally sound. If the HIV-
4 infected student is receiving special education services, these services will be in
5 agreement with established policies. Reassessment of educational placement will be
6 conducted semi-annually.
7

8 **Confidentially**

9 The identity of a child affected by AIDS or HIV-related illness and all records will be on a
10 "need to know" basis. Individuals will be informed of the student's HIV infection on a
11 need to know basis, as decided by the evaluation team, and with the written consent of
12 the parent/guardian if the student is under age.
13

14 **Liability and Non-discrimination**

15 Decisions on participation in activities which may be medically hazardous to persons
16 with AIDS will be made on a case-by-case basis by the evaluation team used to
17 determine placement of the student.
18

19 When a student with AIDS is known to have been exposed to a contagious disease, the
20 parents of the student will be notified immediately by the Superintendent or his designee.
21 The principal will ensure that an accident report is filed for any accident occurring during
22 the school day. The report will include the person's name, date of the accident, and
23 explanation of the accident, and care used in treating the individual. These reports will be
24 kept in a file in the principal's office for a minimum of one year.
25

26 **Curriculum**

27 The state AIDS framework and related instructional objectives including Universal
28 Precautions instruction will be utilized in AIDS education and instruction in the schools.
29

30 **Education and Universal Precautions**

31 AIDS education will be required of all students, unless exempted. All students will be
32 educated in the use of universal precautions.
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34 The system will provide a program on AIDS education for parents and other interested
35 community members. Public health and State Department of Education personnel may be
36 utilized.
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2 Annually, the Superintendent shall ensure that all employees, including newly hired
3 staff, receive current HIV training to include:

- 4
5 • HIV epidemiology.
6 • Methods of treatment and prevention;
7 • Bloodborne pathogens;
8 • Universal precautions;
9 • Psychological and social aspects of HIV;
10 • Related federal and state laws and policies; and
11 • School procedures and policies regarding HIV policies regarding HIV-related
12 issues.
13

14 **Communication**

15 The Superintendent or his designee will be responsible for all communications on AIDS.
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17 Under no circumstances shall information identifying a student with AIDS be released
18 to the public.
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24 **T.C.A. § 10-7-504**

25 **Tennessee State Board of Education Policy No. 5.300**
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Shelby County Board of Education

6046

Descriptor Term:

**HARASSMENT, INTIMIDATION,
BULLYING OR CYBERBULLYING**

Descriptor Code:

Students

Issued Date:

07/27/11

Rescinds:

Issued:

Student harassment, intimidation, bullying or cyberbullying will not be tolerated. Conduct aimed at defining a student in a sexual manner and conduct impugning the character of a student based on allegations of sexual promiscuity will also not be tolerated.

I. Tennessee law defines "harassment, intimidation, bullying or cyberbullying¹" as acts that substantially interfere with a student's educational benefits, educational opportunities, or educational performance, and:

A. If the act takes place on school grounds, at any school-sponsored activity, on school-provided equipment or transportation, or at any official school bus stop, the act has the effect of:

1. Physically harming a student or damaging a student's property;
2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property; or
3. Causing emotional distress to a student or students;
4. Creating a hostile educational environment; or

B. If the act takes place off school property or outside of a school-sponsored activity, it is directed specifically at a student or students and has the effect of creating a hostile educational environment or otherwise creating a substantial disruption to the educational environment or learning process.

¹Cyberbullying means bullying undertaken through the use of electronic devices. "Electronic devices" includes, but are not limited to, telephones, cellular phones or other wireless telecommunication devices, personal digital assistants, computers, electronic mail, instant messaging, text messaging and websites.

1 II. Alleged victims of harassment, intimidation, bullying , or their parents or guardians
2 shall report these incidents immediately to the Principal or building level administrator.
3 Any reports made to staff should be forwarded to the Principal or building level
4 administrator immediately "but no later than 24 hours" of the expressed concern.
5 Anonymous reports may be made, however, disciplinary action may not be based solely on
6 an anonymous report.
7
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9 The Shelby County Board of Education has adopted the "Safe School Tips" program which
10 allows any parent, student, teacher, or employee to report information about illegal or
11 inappropriate activities, including but not limited to bullying, theft, distribution or sale of
12 drugs, possession of weapons, etc.
13

14 **"Safe-School Web-Tips"** should be sent to <http://www.tipsubmit.com> or text to 274637,
15 you will then be asked to type in a "code", the code is SCS, then start typing the text
16 message.
17

18 Any complaints of harassment, intimidation, bullying or cyberbullying should include the
19 following information:
20

- 21 Identity of the alleged victim and the person accused;
- 22 Location, date, time and circumstances surrounding alleged incident;
- 23 Description of what happened;
- 24 Identity of witnesses; and
- 25 Any other evidence available.
26
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28 III. If the complainant is not the parent or guardian, the parents/guardians of alleged
29 victim shall be notified of the reported conduct by phone or in person prior to the end of
30 the school day upon which the conduct was reported. The Principal or his/her designee
31 shall promptly and fully investigate allegations of harassment, intimidation, bullying
32 cyberbullying. The Principal or building level administrator will revisit substantiated
33 incidents and all follow-up efforts conducted will be appropriately documented.
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7 IV. After a complete investigation, if the allegations are substantiated, immediate and
8 appropriate corrective or disciplinary action shall be initiated pursuant to the Shelby
9 County Board of Education's Discipline Policy if the offender is a student. A
10 substantiated charge against an employee may subject such employee to disciplinary
11 action up to and including termination.
12

13 The Principal or his/her designee will meet with and advise the complainant and their
14 parent/guardian regarding the findings, and whether corrective measures, and/or
15 disciplinary actions were taken. The investigation and response to the complainant will
16 be completed within twenty (20) school days.
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19 V. If the complainant is not in agreement with the Principal's or his/her designee's the
20 complainant may, within five (5) school days, contact the Shelby County Schools'
21 Federal Rights Coordinator (FRC) at 160 South Hollywood, Memphis, Tennessee 38112;
22 Telephone (901) 321-2575. Within five (5) school days the "FRC" or his/her designee will
23 review the investigation of the alleged charges. Upon completion of the review, the
24 "FRC" will meet with and advise the complainant regarding the findings, and whether
25 corrective measures, and/or disciplinary actions were taken.
26

27 VI. If the complainant is not in agreement with the findings of the "FRC", an appeal may
28 be made, within five (5) school days, to the Superintendent. Within five (5) school days,
29 the Superintendent will review the investigation and provide a written advise to the
30 complainant whether corrective measures and/or disciplinary actions were taken.
31

32 VII. There will be no retaliation against any person who reports harassment, intimidation
33 bullying or cyberbullying or participates in an investigation. However, any employee
34 who gives false information during the course of any investigation or who retaliates
35 against someone for: (a) truthfully reporting harassment, intimidation bullying or
36 cyberbullying or (b) participating in an investigation of allegations of harassment,
37 intimidation bullying or cyberbullying may be subject to disciplinary action up to and
38 including termination if the offender is an employee and pursuant to the Shelby County
39 Board of Education's Disciplinary Policy if the offender is a student.
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6 VIII. An employee disciplined pursuant to this policy may appeal the decision by
7 contacting the Federal Rights Coordinator at 160 South Hollywood, Memphis
8 Tennessee 38112; Telephone (901) 321-2539. Any student disciplined pursuant to this
9 policy may appeal the decision in accordance with Shelby County Board of Education's
10 disciplinary policies and procedures.
11

12 IX. This policy shall appear in the Parent/Student Handbook distributed annually to
13 every student. Principals or building level administrators are responsible for ongoing
14 education, formal and informal, regarding this policy and procedure in the building in
15 which they work.
16

17 The Shelby County Board of Education's Federal Rights Coordinators are responsible
18 for ensuring this policy is implemented.
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21 X. The procedure outlined above shall also be followed in cases in which a student is
22 the subject of conduct aimed at defining a student in a sexual manner and conduct
23 impugning the character of a student based on allegations of sexual promiscuity.
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31 **T.C.A. § 49-6-1015**

32 **T.C.A. § 49-6-1016**
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Shelby County Board of Education

6047

Descriptor Term:

SCHOOL FEES AND DEBTS

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

SCS is able to offer many programs due to the generous financial commitments of our parents and guardians. Without those financial commitments, SCS would not be able to offer many programs. School systems may request but not require payment of school "fees". A "fee" is defined by State law and rules promulgated by the Tennessee Board of Education to be:

- (1) Fees for activities that occur during regular school hours;
- (2) Fees for activities and supplies required to participate in all courses offered for credit or grade, including interscholastic athletics and marching band if taken for credit in accordance with local board policies;
- (3) Fees or tuition applicable to courses taken during the summer by a student; except that nonresident students regularly enrolled in another school system may be required to pay fees or tuition for such summer course;
- (4) Fees required for graduation ceremonies;
- (5) Fees for a copy of the student's record; and
- (6) Refundable security deposits collected by a school for use of school property for courses offered for credit or grade, including interscholastic athletics and marching band if taken for credit.

The Board must approve all fees before they are requested.

However, if parents or guardians do not desire to or are not financially able to pay the aforementioned fees, they may notify the Principal of the school at which their child is enrolled that they desire for fees assessed to their child be waived. The "request for fee waiver" shall be made on a form that will be provided to each parent at the time a school fee is requested.

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3 School fees do not include:
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- 6 1. Fines imposed on all students for late-returned library books; parking or other
7 traffic fines imposed for abuse of parking privileges on school property; or
8 reasonable charges for lost or destroyed textbooks, library books, workbooks or
9 any other property of the school;
 - 10
 - 11 2. Refundable security deposits collected by a school for use of school property
12 for participating in extracurricular activities;
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 - 14 3. Costs for extracurricular activities occurring outside the regular school day
15 including sports, optional trips, clubs or social events; and
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 - 17 4. Non-resident tuition charged of all students attending a school system other
18 than the one serving their place of residence.
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22 **Withholding of Student Grades for Debts Owed to the School.**

23

24 (a) Report cards, diplomas, and transcripts of students who take SCS
25 property or students who have incurred a debt to a school, shall be
26 withheld until the student makes restitution in full.

27

28 (b) SCS shall permit the student and/or the student's parent to direct
29 any dispute of a debt, the amount of the debt, or the application of
30 sanctions to the Asst. Superintendent of Student Services. The decision
31 of the Asst. Superintendent of Student Services shall be final.
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34 **T.C.A. § 49-2-114**

35 **T.C.A. § 49-2-110**

36 **Tennessee State Board of Education Rule 0520-01-03-.03**
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Shelby County Board of Education

6048	Descriptor Term: PARENTAL OR GUARDIAN NOTICE TO SCHOOL OF CHILD'S CRIMINAL RECORD	Descriptor Code: Students	Issued Date: 08/26/10
		Rescinds:	Issued:

If a student has at any time been adjudicated delinquent for any offenses listed below, the parents, guardians or legal custodians of any student must report to the Principal that the student has been adjudicated delinquent for:

1. An offense involving:

- (A) First degree murder;
- (B) Second degree murder;
- (C) Rape;
- (D) Aggravated rape;
- (E) Rape of a child;
- (F) Aggravated rape of a child;
- (G) Aggravated robbery;
- (H) Especially aggravated robbery;
- (I) Kidnapping;
- (J) Aggravated kidnapping;
- (K) Especially aggravated kidnapping;
- (L) Aggravated assault;
- (M) Felony reckless endangerment;
- (N) Aggravated sexual battery; or

2. A violation of:

- (A) Voluntary manslaughter, as defined in T.C.A. § 39-13-211;
- (B) Criminally negligent homicide, as defined in T.C.A. § 39-13-212;
- (C) Sexual battery by an authority figure, as defined in T.C.A. § 39-13-527;
- (D) Statutory rape by an authority figures, as defined in T.C.A. § 39-13-532;
- (E) Prohibited weapon, as defined in T.C.A. § 39-17-1302;
- (F) Unlawful carrying or possession of a firearm, as defined in T.C.A. § 39-17-1307;
- (G) Carrying weapons on school property, as defined in T.C.A. § 39-17-1309;
- (H) Carrying weapons on public parks, playgrounds, civic centers, and other public recreational buildings and grounds, as defined in T.C.A. § 39-17-1311;
- (I) Handgun possession, as defined in T.C.A. § 39-17-1319;
- (J) Providing handguns to juveniles, as defined in T.C.A. § 39-17-1320; or

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2
3 (K) Any violation of T.C.A. § 39-17-417 that constitutes a Class A or Class B
4 felony.
5

6
7 **3. An offense not listed in the above subsections for which a court has ordered**
8 **school notification based on the circumstances surrounding such offense.**
9

10 It is a Class C misdemeanor, punishable by fine, for a parent or legal guardian not to
11 report as provided above.
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15 **T.C.A. § 49-6-3051**
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Shelby County Board of Education

6049

Descriptor Term:

**ASSIGNMENT OF STUDENTS
TO CLASSES**

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

The assignment of students to classes and classes to teachers is the responsibility of the Principal. Each school shall develop and publish for students and parents any criteria and/or processes involved in the selection and assignment of classes.

Shelby County Board of Education

6050

Descriptor Term:

STUDENT CONDUCT ON BUS

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

Parents of students are responsible for their children's supervision until the child boards the bus in the morning and after the child leaves the bus at the end of the school day.

Once a student boards the bus - and only at that time - does he or she become the responsibility of the school system. Such responsibility shall end when the student is delivered to the regular bus stop at the close of the school day.

In view of the fact that a bus is an extension of the classroom, the Board shall require students to conduct themselves on the bus in a manner consistent with established standards for classroom behavior.

When a student does not conduct himself properly on a bus, such instances are to be brought to the attention of the building principal by the bus driver.

Students who become a serious disciplinary problem on the school bus shall have their transportation privileges suspended by the principal. In such cases, the parents are responsible for seeing that their children get to and from school safely.

Shelby County Board of Education

6051

Descriptor Term:

INTERSCHOLASTIC ATHLETICS

Descriptor Code:

Students

Issued Date:

08/26/10

Rescinds:

Issued:

The Principal shall be held responsible for the administration and control of the interscholastic athletic program within his/her school.

Scheduling Athletic Events

The Principal is authorized to schedule events for his/her school subject to the approval of the Superintendent.

Information Required to Participate

Before being allowed to participate in the first practice session of a sport, the following information must be on file in the Principal's office for each participant:

- Written evidence that the student has permission to participate. This must be signed by the parent or guardian.
- Written evidence that the student has passed a physical examination. This must be signed by a doctor of medicine, osteopathic physician, and physician assistant or certified nurse practitioner. Physical examinations must be given on or after **MAY 1** and are then current for thirteen months or the entire upcoming school year.
- Written evidence that the student is covered by a family insurance policy. This statement must list the name of the company and be signed by the parent or guardian. If the student is not covered by a family policy, the student must have the special senior high football policy or the student insurance which covers all middle, ninth and senior high sports except senior high football.
- If an athlete goes to an athletic screening examination and is referred to another physician for further evaluation, the parents or guardian must provide the coach with written evidence that the student has passed a physical examination and the physician must address the condition for Athletic Program General Rules and Regulations which the student was referred. The physician must also specify any accommodations that are needed or must be made.

Hiring of Coaches

Principals must make sure that TSSAA and SCS policies are followed if he/she thinks he/she may need a non-faculty coach. A letter from the Principal to the Athletic Director must be sent requesting this assistance. The position will then be advertised. Next, the Assistant Superintendent for Student Services and the Athletic Director must approve this request. An application will have to be completed including fingerprinting and background check. Then, the TSSAA will have to approve the request. Until all these steps are followed, no non-faculty coach can be assigned. Please note that all new teachers who coach hired in 2000 and thereafter, will be required to attend the TSSAA coaches' certification program. Every coach is to finish his/her season once it is scheduled.

Safety/Sportsmanship

Safety always must be the number one concern. Principals must make sure the "Heat Stress Guidelines" and "Lightning Guidelines" are followed, that each coach has an emergency plan ready in case of injuries, that no athlete is allowed to practice unless a current physical, parent permission and proof of insurance form is on file. Emergency cards are to be taken to all practices, scrimmages and games. Good sportsmanship is required. Coaches and players are to set examples of good sportsmanship at all times. Nothing else will be acceptable.

Scheduling of Athletic Events

Athletic events must adhere to the following scheduling rules:

- All athletic practice must be held outside of school hours unless the specific practice is approved on an annual basis by the Board of Education and reflected in the minutes.
- There shall be no games or matches scheduled during examination week until examinations are completed.
- All practice session and games shall be under the supervision of qualified personnel.
- Middle school and high school coaching positions can be assigned to non-faculty if the position has been advertised and no full-time or retired employee with a teaching license who meets the qualifications required for coaching the specific sport in question is available.
- All TSSAA regulations must be followed.
- All non-faculty coaches must be approved by the principal, the Assistant Superintendent for Student Services and the TSSAA.

1
2 **Verification of Age for Grades 7 through 12**

3 Verification of birth date is required for athletic eligibility in all sports for Grades 7
4 through 12.
5

6 **Revenue Collection Rules and Procedures**

7 Whenever money is collected for admission to an athletic contest, a ticket must be
8 given to the customer.
9

- 10
- 11 • A ticket reconciliation report is required for all events for which a fee is charged.
 - 12 • The ticket reconciliation report and money must be given to the principal or
 - 13 principal designee for deposit within three (3) days of the event. However, it is
 - 14 recommended that money be deposited daily.
 - 15 • For further details for paid admission and collections/deposits, please refer to the
 - 16 Tennessee Internal School Uniform Accounting Policy Manual, Section 5, pp. 5-
 - 17 5 and 5-6. A copy of the Manual should be located at each school's main office.
 - 18 It is also located on the State's website at
 - 19 <http://www.state.tn.us/education/fa/ed331936sec5.pdf>.
 - 20

21 **Security Rule**

22 Each school must have an administrator or designee at every athletic contest. TSSAA
23 and this Policy require an administrator to be present at each varsity football,
24 basketball and soccer contest. Each administrator or designee must identify
25 himself/herself to all who are directing or supervising the contest. Also, an
26 administrator and police officer(s) must be present at each middle school and
27 ninth grade football and basketball contest. Principals of 7-12 schools are
28 required to have police officers at all football and basketball contests. The
29 employment of police officers and the number to be employed at all other athletic
30 contests is also left to the discretion of the principal.
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35 **Tennessee Internal School Uniform Accounting Policy Manual,**
36 **Section 5, pp. 5-5 and 5-6.**
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Shelby County Board of Education

6052

Descriptor Term:

**PLEDGE OF ALLEGIANCE /
NATIONAL ANTHEM**

Descriptor Code:

Students

Rescinds:

Issued Date:

08/26/10

Issued:

All Shelby County schools shall open each school day with the Pledge of Allegiance to the flag of the United States and/or the playing of the National Anthem.

At the time designated, unless they are exempt, students shall stand and recite the Pledge of Allegiance while facing the flag with their right hands over their hearts or in an appropriate salute if in uniform.

No student shall be compelled to recite the Pledge of Allegiance if the student or the student's parent or legal guardian objects on religious, philosophical or other grounds to the student participating in such exercise.

Students who are exempt from reciting the Pledge of Allegiance shall remain quietly standing or sitting at their desks while others recite the Pledge of Allegiance and shall make no display that disrupts or distracts others who are reciting the Pledge.

Teachers and other school staff who have religious, philosophical, or other grounds for objecting to saying or leading the Pledge of Allegiance are exempt from leading or participating in the exercise.

If a teacher chooses not to lead the Pledge, the teacher or Principal shall designate another suitable person to lead the class.

T.C.A. § 49-6-1001

Tennessee State Board of Education Policy No. 4.208

POSTING THE PLEDGE OF ALLEGIANCE/NATIONAL MOTTO

All Shelby County schools shall have posted *The Pledge of Allegiance* and the National Motto of the United States in a prominent place in the school, e.g. main entrance or common area, and in each school classroom.

T.C.A. § 49-6-1001

Tennessee State Board of Education Policy No. 4.208

Shelby County Board of Education

6053

Descriptor Term:

**ISOLATION OR RESTRAINT OF
STUDENTS RECEIVING SPECIAL
EDUCATION SERVICES**

Descriptor Code:
Students

Issued Date:
08-25-11

Rescinds:

Issued

I. DEFINITIONS

“Emergency situation” means that a student's behavior poses a threat to the physical safety of the student or others nearby;

“Isolation” or “Seclusion”: (A) Means the confinement of a student alone in a room with or without a door, or other enclosed area or structure pursuant to T.C.A. § 49-10-1305(g) where the student is physically prevented from leaving; and (B) Does not include time out, a behavior management procedure in which the opportunity for positive reinforcement is withheld, contingent upon the demonstration of undesired behavior; provided, time-out may involve the voluntary separation of an individual student from others.

“Physical Holding Restraint” means the use of body contact by school personnel with a student to restrict freedom of movement or normal access to the student's body.

“Extended Isolation” means isolation which lasts longer than one (1) minute per year of the student's age or isolation which lasts longer than the time provided in the child's individualized education program (IEP).

“Extended Restraint” means a physical holding restraint lasting longer than five (5) minutes or physical holding restraint which lasts longer than the time provided in the child's IEP.

“Positive Behavioral Supports” means a systematic approach using evidence-based practices to improve school environments, and to prevent and respond to problem behavior that:

- (A) Is proactive and instructional, rather than reactive and punitive;
- (B) Operates on the following three (3) levels:
 - (i) Individual;
 - (ii) Group or classroom; and
 - (iii) The whole school.
- (C) Includes a system of continual data collection;

- (D) Utilizes data-based decision-making;
- (E) Applies research-validated positive behavioral interventions;
and
- (F) Improves academic and social outcomes for all students,
including those with the most complex and intensive behavioral
needs.

II. STANDARDS FOR ISOLATING/RESTRAINING STUDENTS

- (a) A student receiving special education services, as defined by T.C.A. § 49-10-102, may be restrained or isolated only in emergency situations.
- (b) IEPs that provide for the use of restraint or isolation in emergency situations shall contain a data driven functional behavior assessment and a plan for modification of the behavior developed and implemented by a qualified team of professionals. When the use of restraint or isolation is proposed at an IEP meeting, parents/guardians shall be advised of the provisions of T.C.A. § 49-10-1301, *et seq.* Tennessee Board of Education Rule 0520-01-09-.23 and the IDEA procedural safeguards.
- (c) In the event that restraint or isolation is imposed on a student, it shall be imposed by:
 - (1) School personnel who have been certified for completing a behavior intervention training program; or
 - (2) Other school personnel when trained personnel are not immediately available; provided that said personnel shall, prior to imposing restraint or isolation, obtain permission to restrain or isolate from a trained administrator.^{1 2}
- (d) If restraints or isolation are used in an emergency situation, the school personnel imposing the restraint or isolation shall immediately contact the school Principal, Vice-Principal or Assistant Principal. The school Principal, Vice-Principal or Assistant Principal shall see and evaluate the student's condition within a reasonable time after the intervention and the student's parent or guardian shall be notified, orally or by written or printed communication, the same day the isolation or restraint was used. The school Principal, Vice-Principal or Assistant Principal to whom the restraint or seclusion was reported shall record the use of the isolation or restraint and the facts surrounding such use. School personnel shall be held harmless for failure to notify if reasonable effort has been made to notify the

1
2 student's parent or guardian as provided above.
3

4 (e) School personnel **should** report a suspected crime by calling a law enforcement
5 official. School personnel may file a juvenile petition against a student receiving
6 special education services only after conducting a manifestation determination that
7 results in a determination that the behavior that resulted in the act requiring
8 disciplinary action was not caused by the student's disability. A school resource
9 officer may upon witnessing an offense, take the student into custody.
10

11
12 (f) If the student's IEP does not provide for the use of isolation or restraint for the
13 behavior precipitating such action or if school personnel are required to use
14 isolation or restraint over an extended period of time as determined by Tennessee
15 Department of Education Rules, then an IEP meeting shall be convened within ten
16 (10) days following the use of the isolation or restraint.
17

18 (g) The use of isolation or physical holding restraint as a means of coercion,
19 punishment, convenience or retaliation on any student receiving special education
20 services is prohibited.
21

22 (h) Removing or disabling any equipment or device that a student requires, including,
23 but not limited to, a power wheelchair, brace, augmentative communication device,
24 or walker, as a means of coercion, punishment, convenience, or retaliation on any
25 student receiving special education services is prohibited.
26

27
28 (i) The use of physical holding restraint in the following circumstances is not
29 prohibited and school Principals, Vice Principals and/or Assistant Principals
30 are not required to notify the student's parent or guardian if the physical
31 holding restraint is made in the following circumstances: a) the brief holding
32 by an adult in order to calm or comfort;
33

34 (ii) The minimum contact necessary to physically escort a student from one
35 area to another;
36

37 (iii) Assisting a student in completing a task or response if the student does not
38 resist, or resistance is minimal in intensity or duration; or
39

40 (iv) Holding a student for a brief time in order to prevent any impulsive behavior
41 that threatens the student's immediate safety.
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- 1 (i) The use of a locked door, or any physical structure, mechanism, or device that
2 substantially accomplishes the function of locking a student in a room, structure, or
3 area, is prohibited.
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- 5 (j) Any space used as an isolation room shall be:
6
7 (1) Unlocked and incapable of being locked;
8 (2) Well ventilated and temperature controlled;
9 (3) Sufficiently lighted for the comfort and well-being of the student;
10 (4) Where school personnel are in continuous direct visual contact with
11 the student at all times;
12 (5) At least forty square feet; and
13 (6) In compliance with all applicable state and local fire, health, and
14 safety codes.
15
- 16 (k) Actions undertaken by school personnel to break up a fight or to take a weapon
17 from a student are not prohibited; however, these acts shall be reported to the
18 school Principal, Vice-Principal or Assistant Principal.
19

20 **III. TRAINING REQUIREMENTS**

21
22 Training certification shall include but not be limited to the following components:

- 23
24 a) Training in evidence-based techniques shown to be effective in the prevention of
25 isolation and physical restraint;
26
27 b) Training in evidence-based techniques shown to be effective in keeping both
28 school personnel and students safe when imposing physical restraint or isolation;
29
30 c) Evidence-based skills training on positive behavioral interventions and supports,
31 conflict prevention, functional behavior assessments, de-escalation, and conflict
32 management;
33
34 d) Information describing state statutes, policies, rules, and procedures on restraint
35 and isolation;
36
37 e) Training in the identification and reporting of abuse and neglect in the school
38 setting; and
39
40 f) Evidence-based training on understanding the warning signs of early-onset
41 mental illness in children and adolescents.
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1 Certifications for school personnel who have completed a behavior intervention training
2 program shall be renewed on a periodic basis as determined by the Shelby County Board of
3 Education's Executive Director of the Department of Exceptional Children.
4

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6 **IV. RECORD KEEPING**
7

8 Each School Principal shall maintain all records of isolation and restraint in a manner
9 prescribed by T.C.A. § 49-10-1306.
10

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12 **V. RESTRICTIONS ON THE ADMINISTRATION OF, OR USE OF**
13 **ISOLATIONS OR RESTRAINTS**
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15 The restrictions on the administration of, or use of, isolations or restraints set forth in T.C.A.
16 § 49-10-1305 shall be followed.
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41 ¹ Whenever possible, an additional school staff member should serve as an observer to any act of physical restraint
42 performed on a student.

43 ² School personnel shall maintain a continuous direct line of sight to a student who is in isolation.
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7000

SCHOOL - COMMUNITY

News Media Relations.....	7001
Facility Use.....	7002
Historical Displays	7003
School Grounds –Construction, Alteration, Modification	7004
Mandatory Policy Reports.....	7005
Parent Teacher Association (PTA) / Parent Teacher Student Association (PSTA).....	7006
School Support Organizations.....	7007
School Sponsored Fundraising.....	7008
Families and School Collaboration	7009

Shelby County Board of Education

7001

Descriptor Term:

NEWS MEDIA RELATIONS

Descriptor Code:

School-Community

Issued Date:

08/26/10

Rescinds:

Issued:

The Board encourages a policy of sound relations with the press and other communication media in the community and surrounding geographical area. The Superintendent shall plan for periodic releases to the press and other communication media which will provide information to the community concerning its schools and various phases of the school program.

News releases involving personnel should be approved by the Superintendent or his designee. When possible and practical, all other news releases should be made by the Communications Director.

Shelby County Board of Education

7002

Descriptor Term:

FACILITY USE

Descriptor Code:

School-Community

Issued Date:

08/26/10

Rescinds:

Issued:

The Shelby County Schools Board of Education has delegated to the Shelby County Schools administration the authority to consent to the use of school property. School property may normally be used for the following purposes:

- Activities sponsored by other governmental agencies;
- Lectures; Musical programs;
- Recreational programs sponsored by municipalities or other non-profit organizations;
- Scouting activities; Religious services;
- Non-profit charitable fund raising;
- Programs sponsored by service clubs;
- Non-partisan political public forums sponsored by a recognized non-profit community or civic group; and,
- Private practitioners pursuant to District Standard Operating Procedure.

School property shall not be used for such purposes as:

- Gambling in any form;
- Dances (other than school dances);
- Programs sponsored by commercial agencies for other than educational or governmental purposes;
- Programs sponsored by for-profit organization that are not school affiliated; or
- Private parties, receptions, celebrations, family reunions.
- School related activities take priority over outside requests. Individual classrooms and libraries are not available for use.

RENTAL FEES AND ASSOCIATED CHARGES

It is not the purpose of the Board to realize a profit in renting school property for use by an outside agency; however, the Board, in allowing the use of school property, does incur expenses for custodial services, heat/air, light, water, and general maintenance. The procedures for determining the rental fee schedule for use of the various school properties is as follows:

- The group/agency using the school facility must abide by all state, local, and federal requirements;
- If school is closed for inclement weather, any and all facility use will automatically be canceled for that event;
- If a school kitchen is used, prior arrangements must be made and appropriate charges approved by the school cafeteria manager.

At the end of each fiscal year, the Business Office will calculate the rental rates for the upcoming school year by performing the following calculations:

- Determine the per square foot cost for utilities by adding the budgets for electric, gas, water and refuse collections by the total square footage of the school district.
- Determine the per square foot cost for maintenance by dividing the maintenance budget by the total square footage of the school district.
- Adding per square foot utility costs and maintenance costs together.
- Applying the total square foot cost times the number of square feet being used and dividing by 200 days.
- Using the Federal Unrestricted Cost Rate to account for the time and effort of district personnel in implementing this policy.
- In addition, labor costs will be billed at the average overtime rate including FICA and Retirement as determined by the Business Office.
- Adding the direct cost(s) of any specific cost(s) applicable for a particular use.

Payment of the full amount due for the use of property, as provided in a written agreement shall be made by check, payable to the Shelby County Schools System prior to use. **No payment shall be made directly to any individual employee of the Shelby County Public Schools.**

The following entities will normally be allowed the use of school property without charge and without the insurance requirement, provided that the activity is scheduled at a time during the regular working hours of the building custodians:

- PTAs / PTOs;
- School-Affiliated Booster Groups;
- Other Approved Student Support Organizations;
- Local, State and Federal Government Agencies;
- School Alumni Groups; and,
- Any school-related group which exists solely to support the school or district.

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2
3 In all cases, the Shelby County Schools administration reserves the right to charge for
4 services that extend beyond those normally provided.
5

6 **REQUESTS FOR USE OF SCHOOL PROPERTY**

7 Requests for use of school property shall be made in writing at least four (4) weeks prior
8 to the proposed use. Facilities use information and required forms are available at local
9 schools, or may be downloaded from the Shelby County Schools website by (Clicking
10 Here). The building principal must sign the Facilities Request Form before submission
11 to the Director of Facilities. If the request for use of school property is granted, the
12 person, group, association, organization or corporation or to the use of the property,
13 must execute a Waiver and Release of Liability. In addition, a Certificate of Insurance
14 (minimum coverage of \$1,000,000) must accompany the request. No consent for use of
15 school property shall extend beyond the school year during which the consent was
16 given. The Superintendent of Schools or his/her designee reserves the right to cancel a
17 school property use agreement when such action is deemed necessary in the best
18 interest of the school district.
19
20

21 **RESTRICTIONS ON USE OF SCHOOL PROPERTY**

22 Alcoholic beverages and smoking are not permitted on or in school property. Use of the
23 school facilities by outside entities shall not interfere in any way with the activities of
24 the school.
25

26 **REQUIRED FORMS**

- 27 • Hold Harmless Agreement
- 28 • Request for Use of Shelby County Schools Facility Form
- 29 • Certificate of Insurance
- 30 • Assumption of Risk
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Shelby County Board of Education

7003

Descriptor Term:

HISTORICAL DISPLAYS

Descriptor Code:

School-Community

Issued Date:

08/26/10

Rescinds:

Issued:

Shelby County Schools Board recognizes and supports the preservation of historical information and documents relative to the school system and the individual schools. School administrators are encouraged to maintain historical information and memorabilia recounting the mission and goals of the school for students and community.

Permanent or extended time (more than two months) displays must reflect the mission and goals of the school system. Initial planning of a school display must include a recommendation from a committee composed of current students, alumni, and school staff. Each item to be displayed must be carefully reviewed in light of relevance and appropriateness. Proposed displays must be of historical value and may include: murals, statutes, photos, paintings or other relative media and must be presented with a stated location, graphic drawing, and explanation of each item. During this initial planning phase and prior to any fund raising or community communications, the display design and contents proposal must be presented to the Superintendent. The Superintendent will review the planning and will recommended appropriate plans for the Shelby County Schools Board review. The Shelby County Schools Board decision will be made by a simple majority vote.

Proposed removal or changes to the permanent display must be proposed to the Superintendent from a committee composed of current students, alumni, and school staff. The Superintendent will review and make a recommendation to the Shelby County Schools Board regarding the outlined change or removal prior to any changes being made. After their review the Shelby County Schools Board will make its decision by a simple majority vote.

Shelby County Schools has a rich history that will soon span 150 years. As a leader in education, we have an obligation to communicate the spirit of the many who have served and been served. In that spirit, each display of history must be carefully reviewed in light of relevance and appropriateness.

Shelby County Board of Education

7004

Descriptor Term:

SCHOOL GROUNDS
Construction, Alteration, Modification

Descriptor Code:

School-Community

Rescinds:

Issued Date:

08/26/10

Issued:

1. Any plan, project, or movement instituted to expand, modernize, renovate or render maintenance to school-controlled or owned properties must first be submitted to the principal for approval. No proposal regarding the aforementioned items can move forward until the principal has received written permission from the Chief of Operations.

Examples include: painting, murals, wall-mounted structures, modular furniture and wall structures, or any changes of use.

2. Permanent structures which enhance the educational and physical experiences of students and community may be placed on school grounds with permission of the Chief of Operations.

Examples of permanent structures are, but are not limited to: walkways, playgrounds, parks, tracks, sports fields, gardens, storage buildings, weight rooms, memorials, signs, nature trails, gazebos, pavilions, and outdoor classrooms.

3. All structures must meet applicable codes of authorities having jurisdiction and the Board standards. Alterations and modifications to facilities and structures shall be approved by the Chief of Operations before work may begin.
4. Projects, financed by sources outside the school system, must contain a detailed plan for funding before submitting the request to the Chief of Operations for initial plan approval. For final approval, the project must be fully funded.

The naming of structures shall comply with Facility Naming Policy #1007.

Structures on school property become the sole possession of the Shelby County Schools.

T.C.A. § 49-6-2006

SCHOOL GROUNDS
Construction, Alteration, Modification

1. Any plan, project, or movement instituted to expand, modernize, renovate or render maintenance to school-controlled or owned properties must first be submitted to the principal for approval. No proposal regarding the aforementioned items can move forward until the principal has received written permission from the Chief of Operations.

Examples include: painting, murals, wall-mounted structures, modular furniture and wall structures, or any changes of use.

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The naming of structures shall comply with Facility Naming Policy #1016.

Structures on school property become the sole possession of the Shelby County Schools.

T.C.A. § 49-6-2006

Shelby County Board of Education

7005

Descriptor Term:

MANDATORY POLICE REPORTS

Descriptor Code:

School-Community

Issued Date:

08/26/10

Rescinds:

Issued:

Teachers and administrators of the Shelby County Schools System are obligated by law to report to the proper authority certain acts of misconduct.

Every teacher observing or otherwise having knowledge of an assault and battery or vandalism endangering life, health, or safety committed by a student on school property shall report such action immediately to the principal of the school. Every principal having direct knowledge of an assault and battery or vandalism endangering life, health, or safety committed by a student on school property or receiving a report of such action, shall report such action immediately to the municipal or metropolitan police department or sheriff's department having jurisdiction.

Any person who has knowledge of or is called upon to render aid to any child who is suffering from or has sustained any wound, injury, disability, or physical or mental condition shall report such harm immediately if the harm is of such a nature as to reasonably indicate that it has been caused by brutality, abuse or neglect or that, on the basis of available information, reasonably appears to have been caused by brutality, abuse or neglect.

Any such person with knowledge of the type of harm described above shall report it, by telephone or otherwise, to the:

**Department of Children and Human Services; or
Sheriff of the county where the child resides; or
Chief law enforcement official of the municipality where the child resides.**

Any person, school teacher, school official or school personnel who knows or has reasonable cause to suspect that a child has been sexually abused shall report such knowledge or suspicion to the Department of Children and Human Services. Any employee failing to report suspicion or evidence of child abuse or child sexual abuse shall face disciplinary action up to and including termination.

T.C.A. § 49-6-4301

T.C.A. § 37-1-403

T.C.A. § 37-1-605

Shelby County Board of Education

7006

Descriptor Term:

**PARENT TEACHER ASSOCIATION (PTA)
PARENT TEACHER STUDENT ASSOCIATION
(PTSA)**

Descriptor Code:

School-Community

Rescinds:

Issued Date:

08/26/10

Issued:

Studies have consistently shown that parental involvement in education of their children provides numerous benefits. The Shelby County Board of Education supports parent involvement in each school. To facilitate parental and community involvement each school shall have a Parent Teacher Association (PTA) or Parent Teacher Student Association (PTSA) that is chartered by the National PTA Congress and the Tennessee PTA Congress. The Tennessee Congress of Parents and Teachers, a branch of the National Congress of Parents and Teachers, is a non-profit organization which seeks to unite the forces of home, school, and community on behalf of children. The Board encourages school staff to join their local PTA/PTSA chapter. School administration, faculty, and staff should encourage and foster a mutually productive relationship with the local PTA organization with each respecting the appropriate roles of the other in the joint mission of student achievement and student welfare.

The National PTA Congress stated mission is:

The Mission of the PTA

- *To support and speak on behalf of children and youth in the schools, in the community and before governmental bodies and other organizations that make decisions affecting children;*
- *To assist parents in developing the skills they need to raise and protect their children;*
- *To encourage parent and public involvement in the public schools*

The Purpose of the PTA

- *To promote the welfare of the children and youth in home, school, community, and place of worship.*
- *To raise the standards of home life.*
- *To secure adequate laws for the care and protection of children and youth.*
- *To bring into closer relation the home and the school, that parents and teachers may cooperate intelligently in the education of children and youth.*
- *To develop between educators and the general public such united efforts as will secure for all children and youth the highest advantages in physical, mental, social, and spiritual education.*

T.C.A. § 49-2-305

Tennessee State Board of Education Policy No. 4.207

Shelby County Board of Education

7007

Descriptor Term:

**SCHOOL SUPPORT
ORGANIZATIONS**

Descriptor Code:

School-Community

Rescinds:

Issued Date:

08/26/10

Issued:

SECTION I

The School Support Organization Financial Accountability Act or T. C. A. § 49-2-601, *et seq.*, was passed in May 2007. The intent of the legislation was to ensure the continued support of academic, arts, athletic and social programs while also ensuring the fiscal accountability of the school support organizations.

A "school support organization" means a booster club, foundation, parent teacher association, parent teacher organization, parent teacher support association, or any other nongovernmental organization or group of persons whose primary purpose is to support a school district, school, school club, or academic, arts, athletic, or social activities related to a school which collects or receives money, materials, property or securities from students, parents, or members of the general public. For the purposes of this part, a group of persons who merely request that students, parents, or members of the general public make donations to a school district, school, school club, or academic, arts, athletic, or social activity related to a school or assist in the raising of funds for a specified purpose under the sponsorship of a school employee where the funds are turned over to the school to be used for the specific purpose for which the funds were raised, shall not be considered a school support organization.

Pursuant to SSOFAA the following rules must be followed to ensure that money raised by school support organizations is safeguarded and used to further activities for which the money is raised.

- Organizations must register (incorporate as a nonprofit) with the Secretary of State's office.
- The organization must be managed or operated by adults, and is separate from school district student organizations. Each support organization is responsible for complying with all local, state and federal laws, and will provide the principal details of the structure of the organization including, but not limited to:
 1. By-laws and/or constitution
 2. Current list of officers and officers' duties
 3. Guidelines for election of officers and term limits

4. Purpose and goals of the organization
5. Sources of income
6. Intended use of funds generated by the organization

- An organization must annually: confirm its status as a nonprofit; describe its goals and objectives; and provide the address, telephone number and position of each officer of the organization to the director of schools or the director's designee.
- The organization must include at least one representative from the school faculty/staff as a sponsor. The school representative cannot be an officer in the support organization, nor shall they have any authority to disburse funds. The school representative may not act as a treasurer or bookkeeper for the school support organization, nor shall they be a signatory on the checks of the school support organization.
- Organizations must not use the school's Employer Identification Number or sales tax exemption for any purpose. The support organization must file for and hold an individual federal tax ID number separate from the school.
- If the support organization desires to be tax exempt as a 501(c)3 organization, it must maintain a separate tax-exempt number from the school. **Support organizations cannot use Shelby County Schools' tax-exempt status or the SCS federal identification number.**
- Support organizations must file all appropriate tax returns.
- Use of school property by the organization for its activities will meet all regulations established by the Board.
- The identity of the authorized banking institution, authorized bank account(s), and authorized signatories should be included in the minutes.
- The name on any bank account, security, or other investment should be that of the incorporated support organization.
- All bills should be paid by check, never cash. Presigning blank checks is prohibited.
- For disbursements, prenumbered bank checks should be used that require two signatures.

- 1 • Each check written should have a receipt or invoice filed by check number. The
2 treasurer should write the check number and date paid on the invoice or receipt.
3
- 4 • A receipt should be issued any time cash is turned over to or collected by the
5 treasurer. The receipts should be prenumbered and kept in a bound book. One copy
6 should be maintained in the receipt book.
7
- 8 • For certain events or mass collections (e.g., concession, parking, car wash, candy sale),
9 a record of the total collections each day must be created. Two individuals should
10 count the collections and prepare a count sheet, signed by both counters. When the
11 collections are turned over to the treasurer, he/she should recount the collections and
12 issue a receipt to the individuals. The count sheet should then be filed by the
13 treasurer.
14
- 15 • When a school support organization operates a concession stand or parking at a
16 related school academic, arts, athletic, or social event on school property, the support
17 organization must provide the school with all relevant collection records required by
18 the *Internal School Uniform Accounting Policy Manual*.
19
- 20 • Collections should be deposited in the bank in a timely manner. Deposit slips should
21 include an itemized listing of checks.
22
- 23 • Annually or upon request, the treasurer should provide the principal and the
24 organization officers/members a complete set of financial records or a detailed
25 treasurer's report including all receipts and disbursements.
26
- 27 • Bank accounts should be reconciled promptly.
28
- 29 • All collection records, bank statements, canceled checks and invoices, along with
30 copies of the monthly treasurer's report, should be organized and maintained by the
31 treasurer by fiscal year. Records should be maintained for at least four years.
32
- 33 • The organization should maintain documentation of any **written** conditions on any
34 donations to the board of education or the school. Pursuant to state law, the school
35 board or school must, in good faith, disburse the funds in accordance with those
36 conditions.
37
- 38 • The organization should contact the Comptroller of the Treasury, Division of
39 Municipal Audit, at (615) 401-7871 if fraud is suspected.
40
- 41 • The school support organization will be subject to audit by the office of the
42 comptroller of the treasury.
43
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- Any plan, project or movement instituted to expand, modernize, renovate, or render maintenance to school-controlled and/or owned properties must be submitted to the principal for approval. No proposal regarding the aforementioned items can move forward until the principal has received written permission from the Chief of Operations.
- Criteria for monetary awards to students should be in the support organization's bylaws.
- Any item purchased for a particular school by a support organization automatically becomes the property of SCS and should remain at the school. Prior to making a purchase, it is recommended that at least three cost estimates be obtained to make certain a competitive price is received. (It is the school's responsibility to advise the Purchasing Department of any acquisition of property to determine if it needs to be added to that school's inventory. Purchases may also need approval and/or installation coordination with the Operations Department, as well as with the Technology Department, if the items are technology related.)
- The principal or Superintendent reserves the right to revoke the sanctioning of any support organization if it is found that the organization's operations and purpose are not consistent with the policies adopted by the Board or if the organization fails to comply with any specified requirements, including the groups overall mission and approved by-laws.
- The Shelby County Schools system is not liable for any actions or indebtedness incurred by a support organization.

SECTION II: FUNDRAISING

Pursuant to T.C.A. § 49-2-604(b) of the School Support Organization Financial Accountability Act (SSOFAA) the following rules must be followed to comply with the new legislation regarding fundraising by the school support organizations.

- An organization may use the school's name, mascot or logo for the purpose of raising money or materials for the school provided that the school support organization submits the following documents to the Superintendent or the Superintendent's designee prior to any soliciting, raising, or collecting of money or materials:
 1. The organization's status as a nonprofit organization;
 2. The goals and objectives of the organization; and
 3. The telephone number, address, and position of each officer of the organization.

- The approval of the Superintendent or the Superintendent's designee shall be required before a school support organization undertakes any fundraising activity to assure that scheduling of fundraisers does not conflict with the school district's or schools fundraising efforts, and that the fundraising process is consistent with the goals and mission of the school or school district.
- A school support organization shall maintain, at a minimum, detailed statements of receipts and disbursements, minutes of any meetings, a copy of its charter, bylaws and documentation of its recognition as a nonprofit organization. Such statements and records shall be maintained for a period of at least four (4) years and be available upon request by any member of the organization, principal, director of schools or the director's designee or the office of the comptroller of the treasury.
- A school support organization shall provide, upon request, to the principal, school board officials, or auditors of the office of the comptroller of the treasury access to all books, records, and bank account information for the organization.
- The following shall not incur any liability for the failure of a school support organization to safeguard school support organization funds:
 1. Principal
 2. Board members
 3. Superintendent
 4. Any other school official

The following criteria were already in place to regulate activities of school support organizations and these will continue to be upheld by the school district.

- No fundraising activities will be conducted within the school by the organization during school hours and students will not participate in fundraising during regular class periods.
- All funds raised by the organization will be used to achieve the stated purposes and goals of the organization. No administrative fees or stipends to officers or other members will be permitted.

1 **SECTION III: PUBLICATION OF RECOGNIZED SCHOOL SUPPORT**

2 **ORGANIZATIONS**

3 The Superintendent or the Superintendent's designee will annually publish a list of
4 organizations that have been recognized as school support organizations that have
5 complied with the provisions of T.C.A. § 49-2-604(b) (the State policy regarding
6 fundraising). This list will be posted annually on the Shelby County Schools' website.
7

8 The board of education will not incur any liability in a school support organization's
9 process of gaining such recognition.
10

11 Any forms, annual reports or financial statements required to be submitted pursuant to
12 T.C.A., §49-2-604(b) to the director of schools or to the principal will be open to public
13 inspection
14

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16 **SECTION IV: COLLECTION OF MONEY**

17 Pursuant to T.C.A. § 49-2-606 of the School Support Organization Financial Accountability
18 Act, the following authorizations will be granted to comply with the new legislation
19 regarding the collection of money.
20

- 21 • The school principal has the authority to enter into an agreement with a school
22 support organization to operate and collect money for a concession stand or parking
23 at a related school academic, arts, athletic, or social event on school property. Any
24 money collected shall be considered school support group funds and not as student
25 activity funds as long as the organization provides the school with the relevant
26 collection documentation required under T.C.A. § 49-2-110 for student activity funds.
27
- 28 • The principal also has the authority to enter into an agreement with a civic
29 organization for the operation of concessions or parking at school sponsored events.
30 Civic organizations are not subject to the provisions of T.C.A. § 49-2-110 for student
31 activity funds.
32
- 33 • The principal also has authority to enter into an agreement with a school support
34 organization to operate a bookstore located on the school grounds that makes direct
35 sales of items to students where any money the school support organization collects
36 or any portion designated by the agreement shall be considered as school support
37 group funds and not as student activity funds; provided, that:
38
39 (1) One hundred percent (100%) of the profits of the operation of the
40 bookstore are used for support of the school; and
41
42 (2) The school support organization provides the school with the relevant
43 collection documentation that would have been required pursuant to the
44 provisions of the manual produced under T.C.A. § 49-2-110 for student activity
45 funds.
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1
2 A principal may allow funds raised by fundraisers conducted by a school support
3 organization outside the school day and involving students to be collected during the school
4 day by the school support organization. Such funds shall be school support organization
5 funds provided school employees are not involved in the accounting of such funds and the
6 funds are turned-in using sealed envelopes.
7

8 **SECTION V: DISBURSEMENT OF DONATIONS**

9 Pursuant to T.C.A. § 49-2-607 of the School Support Organization Financial Accountability
10 Act, any donation made by a school support organization to a school shall be disbursed only
11 in accordance with any written conditions that the school support organization may place
12 upon the disbursement of the funds and shall be in accordance with the goals and objectives
13 of the school support organization.
14

15
16 School support organization funds that are donated to an individual school shall not be
17 considered as student activity funds but instead as internal school funds from the point of
18 their donation to the respective school.
19

20 Any disbursements of donated funds by a school official or employee shall be made in
21 accordance with any relevant federal, state, or local government laws.
22

23 **SECTION VI: PROHIBITED ACTIONS**

24 Pursuant to T.C.A. § 49-2-608 of the School Support Organization Financial Accountability
25 Act, (SSOFAA) school support organizations may not:
26

- 27 • Use the school's or school district's sales tax exemption to purchase items;
- 28
- 29 • Represent or imply that its activities, contracts, purchases, or financial commitments are
- 30 made on behalf of or binding upon the school or school district;
- 31
- 32 • Use school support organization funds for a purpose other than purposes related to the
- 33 goals and objectives of the school support organization that relate to supporting a
- 34 school district, school, school club or school academic, arts, athletic, or social activity;
- 35 or
- 36
- 37 • Maintain or operate a bank account that bears the employer identification number of a
- 38 school board, school, or any other school related governmental entity. From July 1,
- 39 2007, any funds deposited into the bank account shall be presumed to be a donation to
- 40 the entity whose employer identification number is used and shall be treated as student
- 41 activity funds.
- 42
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46 **T.C.A. § 49-2-601, *et seq.***

Shelby County Board of Education

7008

Descriptor Term:

**SCHOOL SPONSORED
FUNDRAISING**

Descriptor Code:

School-Community

Issued Date:

07/27/11

Rescinds:

Issued:

SCHOOL SPONSORED FUNDRAISING

Fundraising activities involving the participation of the general student population must benefit the school or must contribute to the welfare of the entire student body. Fundraising activities involving a select class or club must benefit the purpose or group for which the money was raised. The listed guidelines must be followed:

1. The Principal shall obtain written approval from the Superintendent of schools or his designee for all fundraising activities that involve the participation of the general student population in the marketing process of the fundraising effort. All other fundraising activities must have written approval from the Principal. The authorization will include the information outlined in the *Tennessee Internal School Uniform Accounting Policy Manual*.
2. The use of school property and facilities in fundraising efforts shall be in accordance with Board policy.
3. Expenditures of money raised through fundraising activities shall be made in accordance with proper purchasing procedures and Board policies.
4. Individual schools shall pay sales tax to the vendor on all items purchased for fundraising activities.
5. Academic credit shall not be given or deducted due to participation or non-participation in any fundraising event.
6. Student incentives for fundraising programs, which include exclusion from regular school attendance or regular instructional time, should be minimal and must have prior approval of the Principal.

1 Disciplinary actions in the form of formal reprimands will be applicable to Principals, and
2 sponsors of student organizations and all other employees of the Shelby County Board of
3 Education who knowingly allow unapproved fundraising activities.
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Shelby County Board of Education

7009

Descriptor Term:

**FAMILIES AND SCHOOL
COLLABORATION**

Descriptor Code:

School-Community

Issued Date:

07/27/11

Rescinds:

Issued:

The Shelby County Board of Education encourages collaboration between schools and families due to its belief that such collaboration is essential to support student learning.

By this Policy, the Board directs that each school adopt the following standards:

Standard 1 - Welcome all families into the school community.

Standard 2 - Communicate effectively with all families.

Standard 3 - Support student success by collaborating with families to support students' learning and healthy development both at home and at school.

Standard 4 - Encourage families to be advocates for their own children and other children in order to ensure that students are treated fairly and have access to learning opportunities that will support their success.

Standard 5 - Share power by ensuring that families and schools are given opportunities to share in decisions that affect children.

Standard 6 - Ensure that families and schools collaborate with community members to connect students, families and staff to expanded learning opportunities, community services and civil participation.

At a minimum, to ensure the aforementioned Standards are met, the Shelby County Board of Education directs that:

¹"Families" includes Parents and Guardians.

- o Teachers and/or administrators, and/or school staff meet with families twice during each school year to discuss homework, attendance, discipline, policy, and expectations.
- o Teachers and/or administrators invite families to Monthly PTA meetings/Parent Advisory Meetings to discuss strategies to improve student achievement and engagement.
- o Teachers and/or Administrators and/or School Staff encourage families to meet with school counselors annually to discuss students' course of study and plans for higher education.
- o Administrators invite families to serve on School Improvement Plan Committees.
- o Teachers and/or Administrators provide families with access to all student learning materials in order for families to assist students in meeting their educational goals.